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DEBATES OF THE LEGISLATIVE
ASSEMBLY OF
UNITED CANADA

Volume X

Part II

1851

DEBATES OF THE LEGISLATIVE ASSEMBLY OF UNITED CANADA

1841-1867

Published under the direction of the

Centre d'Etude du Québec

and the

Centre de recherche en histoire économique du Canada français

General Editor

Elizabeth Gibbs

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Volume X, Part II

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Research for this volume, as for the previous ones, was substantially supported by Canada Council. The publication of the Debates of the Legislative Assembly of United Canada is an undertaking of the Centre de recherche en histoire économique du Canada français. The publication of the volumes is supported jointly by the Humanities Research Council of Canada and the Social Science Federation of Canada, using funds provided by the Canada Council.

WEDNESDAY, 16 JULY 1851.

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Petitions read.

PURSUANT to the Order of the day, the following Petitions were read:--

Of the Municipality of the Township of Brantford; of the Municipal Council of the Town of Brantford; and of Alexander Douglas, Town Reeve, and others, Councillors of the Township of Bertie, County of Welland; praying that the Act 13 & 14 Vic. c. 72 may not be repealed, but that should its repeal be deemed advisable, then that the rights acquired by the Brantford and Buffalo Joint Stock Railroad Company may be preserved inviolate.

Of the Very Reverend Archdeacon Stuart and others, Trustees of the Midland District School Society; praying aid for the erection and maintenance of a School House in the City of Kingston.

Of Abel Bristol and others; praying for the passing of an Act to relieve all persons practising Physic, or the cure of disease without license, from the penalty which now attaches thereto, only holding them responsible for the due performance of the duties they undertake.

Of the Municipal Council of the United Counties of Huron, Perth, and Bruce; praying that the power of appointing County Constables, and the term of their service, may be left to the discretion of the Magistrates at the General Quarter Sessions.

Of the Municipal Council of the County of Simcoe; praying that the County authorities may be authorized to levy a tax upon Clergy Reserve Lands when sold and the first instalment paid thereon.

Of the Municipal Council of the County of Simcoe; praying for certain amendments to the Assessment Law.

Of A.T. McCord, Moderator, and John Carter, Secretary, on behalf of the Regular Baptist Union of Canada; praying the adoption of measures for the abo-

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lition of all labor on the Lord's Day in the Postal Department of the Public Service.

Of D. Thomas, Esquire, and others, of the Townships of Shipton, Melbourne, and their vicinity, County of Sherbrooke; praying that the provision of a certain Bill for the appointment of a Grand Voyer in the several Parishes and Townships of Lower Canada, may not pass into Law.

Of the Municipal Council of the County of Oxford; praying that the funds arising from the Clergy Reserves and Rectories may be applied to Common School purposes.

Of the Municipal Council of the County of Oxford; praying for the passing of an Act to appoint Commissioners to settle the lines and road allowances between the Townships of East and West Oxford, Burford and Windham.

Of the Municipal Council of the United Counties of Essex and Lambton; praying that the Municipal Act may be so amended as to provide compensation for Township Councillors.

Of the Municipal Council of the United Counties of Essex and Lambton; praying for the passing of an Act to explain the "Act to amend the Law of imprisonment for Debt in Upper Canada," so as to guarantee its benefits to the residents of either of the said Counties in certain cases.

Of the Municipal Council of the United Counties of Essex and Lambton; praying that the boundaries between the Counties of Kent and Lambton may be so altered as to restore to the said County of Lambton that part of the Township of Sombra now called the Gore of Chatham, and that part of the Township of Dawn now called the Gore of Camden.

Of the Municipal Council of the United Counties of Essex and Lambton; praying for a repeal of the existing Laws in so far as they require the publication of Lists of Magisterial Convictions and Lists of Tavern Licenses issued, and statements of accounts of Municipal Councils.

MR. H. BOULTON¹, seconded by MR. HOPKINS, moved the following resolution:-- "That no grant of money be made out of the Public Revenue of the Province, to any Institution, or public body, which shall be under the management or control of any particular religious denomination, or which shall be exclusive or sectarian in its character."² The hon. member attempted to address the House on this motion, but was interrupted with loud cries which continued for some time. He maintained the floor,³ but had to sit down after a few minutes, the impatience and noise being so great.³

MR. COM. CR. LANDS PRICE said it was better for a member not to persist in attempting to address the house when the feeling was clearly against his doing so.⁴

Some other members attempted to address the House, but were prevented from going into the question by the manifestation of the impatience. Loud cries of hear, hear, humming, coughing, laughing, and other noises ... [were] heard.⁵

MR. HOPKINS said the people of Upper Canada were opposed to vested rights; and that they wanted the establishment of the voluntary principle.⁶

MR. INSP. GEN. HINCKS replied that, as Mr. Hopkins did not believe in vested rights he (Mr. Hincks) would possibly, as he was a poor man, manage to get possession of a certain desirable portion of Mr. Hopkins' estate. He would oppose the motion.⁷

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Public Revenue.

The Honorable Mr. Boulton moved, seconded by Mr. Hopkins, and the Question being put, That no grant of money be made out of the Public Revenue of this Province to any Institution or Public Body which shall be under the management or control of any particular Religious Denomination, or which shall be exclusive or sectarian in its character; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, and Smith of DURHAM.--(4.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Burritt, Cartier, Cauchon, Chabot, Chauveau, Christie, Davignon, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Hincks, Holmes, Jobin, Lacoste, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McConnell, McLean, Méthot, Mongenais, Nelson, Papineau, Polette, Richards, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Taché.--(48.)

So it passed in the Negative.

Quebec Incorporation Bill.

Ordered, That Mr. Laurin and Mr. Cauchon be added to the Select Committee to which was referred the Bill further to amend the Ordinances incorporating the City of

Quebec.

Quebec City
Water Supply
Bill.

Ordered, That Mr. Laurin and Mr. Cauchon be added to the Select Committee to which was referred the Bill further to amend the Acts for supplying the City of Quebec, and parts adjacent thereto, with water.

Party Proces-
sions Act
Repeal Bill.

Ordered, That Mr. Boulton of Toronto have leave to bring in a Bill to repeal the Act 7 Vic. c. 6, intituled, "An Act to restrain Party Processions in certain cases."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of Mr. Davignon, seconded by Mr. Duchesnay,

Public
Business.

Resolved, That Orders of the day do take precedence of Notices and Motions upon Thursdays, for the remainder of the Session.

Solemnization
of Matrimony
Bill (U.C.).

Ordered, That Mr. Morrison have leave to bring in a Bill to amend the Law relating to the solemnization of Matrimony in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time tomorrow.

Municipalities
Act (L.C.)
Amendment Bill.

Ordered, That Mr. Sauvageau have leave to bring in a Bill to repeal a proviso of the Act 13 & 14 Vic. cap. 34, amending the Lower Canada Municipalities Act.

He accordingly presented the said Bill to the House and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Members.

Mr. Armstrong moved, seconded by Mr. Morrison and the Question being put, That no Member shall have leave to speak on any Question before the House for more than half an hour;⁸

A long discussion [ensued.]⁹

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cartier, Cauchon, Chabot, Davignon, Duchesnay, Flint, Fortier, Fournier, Fourquin, Guillet, Holmes, Jobin, Johnson, Lacoste, LaTerrière, Laurin, Lemieux, McConnell, McFarland, Méthot, Meyers, Mongenais, Morrison, Notman, Polette, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, Smith of WENTWORTH, and Taché.--(38.)

NAYS.

Messieurs Badgley, Chauveau, Christie, Solicitor General Drummond, Hincks, Hopkins, Attorney General LaFontaine, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, Malloch, McLean, Nelson, Papineau, Price, Richards, Robinson, Sauvageau, Smith of FRONTENAC, and Stevenson.--(22.)

So it was resolved in the Affirmative.

MR. INSP. GEN. HINCKS enquired if the rule would apply to committee of the whole.¹⁰

MR. MORIN the SPEAKER said he did not think it would, nor that it would last longer than the session.¹¹

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Richmond and
Stanstead
Circuit Court
Bill.

Ordered, That Mr. Sanborn have leave to bring in a Bill to increase the number of sittings of the Circuit Court at Richmond and Stanstead.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

MR. H. BOULTON¹² moved for a committee of the whole, to enquire into the expediency of rescinding the 41st standing order, in whole or in part. The hon. member pointed out at some length what he considered the impropriety of the rule of the previous question, as interpreted by the Speaker on a preceding occasion.¹³

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41st Rule of
the House.

The Honorable Mr. Boulton moved, seconded by Mr. Christie, and the Question being proposed, That this House do now resolve itself into a Committee, to consider the expediency of rescinding the Forty-first Standing Rule of this House either in whole or in part;

MR. CAUCHON moved the previous question.¹⁴

MR. H. BOULTON and MR. W. BOULTON attempted to address the House, but were put down by cries of order.¹⁵

MR. PAPINEAU then rose, and said the Speaker must surely desire information as to the correct interpretation of ... [this] which¹⁶ had stood upon the rules of the Parliament in Lower Canada, the same as here, copied from the rules of the British Parliament.¹⁷ Now the hon. Speaker must certainly have seen the rule frequently put in practice in Lower Canada: but he (Mr. Papineau) thought he had never seen it applied, as it had been the other night. The rule was only, in fact, intended to exclude discussion on the main motion, and not upon the question if the motion should be put.¹⁸ He deprecated very severely the attempt to gag every member of the House in discussing an important subject, as being derogatory to the sense of every deliberate Assembly.¹⁹

A long conversation ensued, and a general appeal was made to Mr. Cauchon to withdraw his motion, in which MR. AT. GEN. BALDWIN, MR. INSP. GEN. HINCKS and others, members of the ministerial side, joined.²⁰

MR. SOL. GEN. DRUMMOND wished the hon. member to withdraw his motion as to the previous question.²¹

MR. MACKENZIE explained that the rule of the British Parliament was different from that of Congress. When a question in Congress was under debate, and any member moving the previous question, the division was then taken, and if the motion for the previous question was sustained by a majority, the discussion was at once stopped; but if the previous question was not sustained the debate went on. He wished to know how the matter stood here, as the decision given a few days ago, was contrary to the practice in Congress.²²

MR. MORIN the SPEAKER ruled that according to the Rule there could be no debate.²³

SIR A. MACNAB explained that the question was put in two different ways in England; the first is, shall the main question be put; or, shall the main question be now put. The practice here, he thought deprived the House of following the practice in England. He thought the rule should be altered, to make it agree with English practice.--The only amendment he wished, was that the word "now" be inserted.²⁴

MR. AT. GEN. BALDWIN said that the rules of the House were framed with great care and deliberation, and therefore he would not wish hastily to make any alteration. He had seen the difficulty that resulted from the stringent terms in which this rule was framed, but would prefer referring the matter to a special committee, in order to consider whether they had put too stringent a construction upon the rule, and if so, that it might be relaxed by that committee, so as to meet the practice in England.²⁵

MR. CAUCHON ... [remained] obdurate.²⁶

MR. W. BOULTON said it was of little consequence whether the hon. member consented or not. He would not have made the motion, unless he were supported in it, and the only course to adopt would be for members on that side to move the previous question whenever ministerial measures came on.²⁷

MR. INSP. GEN. HINCKS said the hon. member for Montmorenci had been asked to withdraw his motion, and would not. It was, therefore, unfair to charge upon members upon that side of the House a course which they could not prevent. The general feeling of the House was in favour of considering the rule. The right way to act, therefore, would be to carry the previous question; let the House go into Committee; and pass a resolution declaring the propriety of referring the subject to the committee of privileges.²⁸

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And the Previous Question being put, That the Question be now put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Chabot, Chauveau, Christie, Davignon, Solicitor General Drummond, Dumas, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Holmes, Hopkins, Jobin, Johnson, Lacoste, Attorney General LaFontaine, Laurin, Letellier, Solicitor General Macdonald, Mackenzie, Sir Allan N. MacNab, Malloch, McConnell, McLean, Meyers, Morrison, Nelson, Notman, Papineau, Price, Richards, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Taché.--(49.)

NAYS.

Messieurs Bell, Cartier, Cauchon, Duchesnay, LaTerrière, Lemieux, Méthot, Mongenais, Polette, and Scott of TWO MOUNTAINS.--(10.)

So it was resolved in the Affirmative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton, of NORFOLK, Boulton of TORONTO, Burritt, Chabot, Chauveau, Christie, Davignon, Solicitor General Drummond, Dumas, Fortier, Fournier, Fourquin, Guillet, Hincks, Holmes, Hopkins, Jobin, Johnson, Lacoste, Attorney General LaFontaine, Laurin, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, Malloch, McConnell, McLean, Meyers, Morrison, Nelson, Notman, Papineau, Price, Richards, Robinson,

Sanborn, Sauvageau, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Taché.--(47.)

NAYS.

Messieurs Bell, Bouthillier, Cartier, Cauchon, Duchesnay, Flint, LaTerrière, Lemieux, Méthot, Mongenais, Polette, Scott of BYTOWN, and Scott of TWO MOUNTAINS.
--(13.)

So it was resolved in the Affirmative.

The House accordingly resolved itself into the said Committee.

Mr. Smith of Frontenac took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Frontenac reported, That the Committee had come to a Resolution; which was read, as followeth:--

Resolved, That the expediency of rescinding the Forty-first Rule of this House in whole or in part be referred to the Standing Committee on Privileges and Elections.

The said Resolution, being read a second time, was agreed to,

Bill to amend
the Law
respecting
Protests.

Ordered, That Mr. Smith of Frontenac have leave to bring in a Bill to amend the Law respecting the Protesting of Bills of Exchange and Promissory Notes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

L'Islet Game
Bill.

Ordered, That Mr. Fournier have leave to bring in a Bill to repeal the Act for the protection of certain species of Game in the County of L'Islet, and to enable the Municipalities of the said County to make regulations for that purpose.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Small Causes
Bill (L.C.).

Ordered, That Mr. Laurin have leave to bring in a Bill to amend the Act providing for the summary decision of Small Causes in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Errors in
Patents Bill.

Ordered, That the Honorable Mr. Boulton have leave to bring in a Bill to repeal a certain provision of the Act for the disposal of Public Lands, relative to the period within which indemnity may be granted for Errors in Patents.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

MR. H. BOULTON²⁹ moved the first reading of a bill to repeal the Act 5 Vict., cap. 29, levying a Duty on Bank Issues.³⁰

MR. INSP. GEN. HINCKS, without desiring to detract from the spirit of the hon. member for Norfolk, could not help saying that it was a little extraordinary

that the hon. member had never done anything on this subject till it was perfectly well known that the Government were prepared themselves to introduce a similar measure, in connection with a condition that the banks should afford certain valuable assistance to railway enterprise.³¹

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Bank Notes
Duties Act
Repeal Bill.

Ordered, That the Honorable Mr. Boulton have leave to bring in a Bill to repeal the Act imposing a Duty on Bank Notes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

MR. W. BOULTON³² moved the reference of the petition of William Coppins to a Select Committee. In doing so, he said he did not rely upon the accusations of discharged servants of the Lunatic Asylum, but upon the report of the Board of Directors, and he could not help here, mentioning that the public prints stated as a reason why these Directors let off the Doctor more easily than they should have done, that one of them was the Doctor's father-in-law.³³ He entered at some length into the charges brought against the Medical Superintendent of the Asylum³⁴. Now one of the charges against Dr. Scott was that he had used the public stores to keep his horse, and the Directors reported that this was true, but was too trifling a matter to require consideration. It was trifling, yet it was not considered trifling, when it was an object to get rid of Dr. Scott's predecessor, that that gentleman had used a couple of cabbages. Nor was it thought trifling that the Warden of the Penitentiary had used a few stores for his horses. The other complaints were to a certain extent admitted by the report; and the evidence, if it had been appended, would have been stronger than the report itself. He was about to allude to the evidence, which he said had been communicated to him [when--]³⁵

MR. INSP. GEN. HINCKS complained of this as a breach of confidence, saying that the Directors had communicated it on condition that it should not be published.³⁶

MR. W. BOULTON remarked that this fact showed more conclusively the necessity for inquiry. He re-asserted the allegations denied on a previous evening by Mr. Hincks with respect to the death of Mrs. Gilbert, and to the demand of Dr. Scott for a fee before he gave his evidence before the coroner. He further stated that the percentage of patients cured or relieved in the Toronto Asylum was much less, than in the Asylum in the United States. As to Mr. Wetenhall he declared that gentleman was murdered. After pointing out the admission of the Directors to their report that the Doctor had used the carrots of the institution, that he had put the patients on bread and water as a punishment; and that he had behaved with undue harshness to the servants; the hon. member concluded by threatening if no enquiry were granted to warn the public against the institution.³⁷ [He] hoped that government would consent to an enquiry.³⁸

MR. INSP. GEN. HINCKS opposed the motion at length on the ground that the Commissioners are so respectable a body of men that they can safely be trusted, and that to bring forward these charges was calculated to injure the institution.³⁹ [He] objected to take the management of the Institution in question out of the hands of the Directors--gentlemen of the highest respectability--and pass a vote of want of confidence in them.⁴⁰ Before such a motion was granted, a strong prima facie case should be made out to prove the incompetency of the Directors. Nor should the House put reliance upon the truth of charges preferred against the respectable Medical Superintendent, by parties who had been dismissed from the Institution for incompetency, petty pilfering, &c.--⁴¹ Now there were

charges; one against Mr. Wetenhall, which was denied by Dr. Widmer, and he asked if the House would take in opposition to that testimony, the assertions of servants discharged for pilfering. The next was the statement with regard to the Coroner. That was untrue. Dr. King very seldom attended, and did not wish to attend.⁴² The hon. gentleman proceeded at some length into a review of the evidence taken before the Commissioners appointed to examine into the charges which had been preferred against Dr. Scott⁴³. There was no truth in the representation that Dr. Scott had ceased to send for Dr. King in consequence of a misunderstanding between them: and Dr. Scott, distinctly denies the assertion that he had refused to give evidence without a fee. All he had done was in private conversation to ask Dr. King his opinion whether he had a right to a fee or not. With regard to Mrs. Gilbert, of course all knew now that it would have been better to act with more precaution, but the Doctor had acted upon his best judgment, and had permitted her to sleep with another patient to whom she had taken a fancy, after she was supposed to have lost all tendency to suicide. The hon. member had also alluded to the punishment of the patients by their being put on bread and water as a punishment for personal offence to himself. If he had done such a thing, he (Mr. H.) would be for his discharge. But Dr. Scott denied that that had ever been done, though it was common in Lunatic Asylums to put the patients on bread and water as a matter of diet when they were very violent. He would also remark that the Directors, after examining the witness against Dr. Scott, had thought it unnecessary to call on him for any defence whatever.⁴⁴ He also read an extract from a letter written by Dr. Widmer to Dr. Scott, in which the writer says to the effect that ... he had always been treated with the utmost courtesy by Dr. Scott, with a view to disprove the statement as to Dr. Widmer being called "an old fool".⁴⁵

MR. H. BOULTON (Norfolk) supported the motion. He thought that there was sufficient evidence to show the fact of grave misconduct on the part of the Medical Superintendent, which ought to be thoroughly examined into by a select committee, as was proposed.⁴⁶ [He] read from the Directors' report to show that these gentlemen had themselves expressed a hope that the prescription book would not for the future be marked with the record of punishment by bread and water.⁴⁷ He strongly condemned the practice of punishing the patients in the institution by keeping them upon bread and water.⁴⁸

MR. INSP. GEN. HINCKS replied that no patient had been put upon bread and water diet for any offence committed against Dr. Scott personally. In every Institution of the kind it was necessary from time to time to keep the very disorderly and fractious patients on low diet, for very obvious reasons.⁴⁹

The hour of 2 o'clock P.M., having arrived, the house adjourned until 4 o'clock P.M.⁵⁰

AFTERNOON SITTING, 4 O'CLOCK P.M.

MR. W. BOULTON moved the appointment of a Select Committee to consider the Report on the state of the Lunatic Asylum.⁵¹

MR. H. BOULTON made a violent attack on the authorities of the Lunatic Asylum, asserting that as consumers of the cabbages and carrots of the institution, they were public delinquents. He also said that his blood boiled at the cool announcement of the Commissioners that, from a natural infirmity of temper, Dr. Scott was hasty in his manner and language.⁵²

MR. COM. CR. LANDS PRICE severely censured the member for Norfolk, and the junior member for Toronto, for rash and unwarrantable remarks relative to the Board and Medical Superintendent of the Lunatic Asylum. He read over the names

of the Board, and asked if they were "Public Delinquents," as they had been called.⁵³ [He] suggested that hon. gentlemen who possessed the right of liberty of speech on the floor of the House sho'd be careful how they made charges of so gross a nature against gentlemen of the highest respectability, who had not the means of replying.⁵⁴ It was unjust, and it was cruel ... to make unfounded attacks on gentlemen who had not the opportunity of defending themselves.⁵⁵ He had heard from every member who visited the Asylum, the highest commendations of Dr. Scott, and it was absurd to suppose that the charge brought by some that he had gained his office merely through the influence of his father-in-law, Mr. Roaf, could be sustained. But it appeared evident that every means would be put in operation to throw discredit on a public officer, filling a most important station, when the only blame attached to him by the Commissioners was a little hastiness of temper. He should support that gentleman because he had been completely exonerated, and because public officers were made targets for discontented persons of every class, who used the grossest charges without previously enquiring whether they could be in every degree borne out.⁵⁶

MR. MACDONALD of Kingston complained that Mr. Price, in place of answering grave charges brought against the Superintendent, had only abused the members for Norfolk and Toronto.--There were grave charges against Dr. Scott, who, it appeared from the report, had acted with brutality⁵⁷. After reading the⁵⁸ exculpators [sic] report made in his [Dr. Scott's] favor⁵⁹, he should be sorry to allow any one⁶⁰ who should be afflicted with loss of reason⁶¹ in whom he felt any interest to be sent to that institution⁶² in ... [its] present state⁶³ to be subject to the brutality of [Dr. Scott] ... Mr. Macdonald ... pointed out the inconsistency of refusing an enquiry into the affairs of this institution after the extended enquiry instituted into the affairs of the Penitentiary.⁶⁴ He asked why the ministry had acted differently in this case than in that of the Penitentiary? He went on to institute a comparison between the two cases, stating that the dismissal of the Warden of the Penitentiary was founded on a charge which was not proved, of having used Penitentiary fodder for his cow, while here it was admitted that Dr. Scott had made use of the fodder of the Asylum. The Board admitted the charges against Dr. Scott in the report, and they were such as demanded investigation.⁶⁵ It was established that there was great neglect, and gross brutality; one insane person had been permitted to hang herself in the presence of another insane person,--⁶⁶ Dr. Scott['s] ... dereliction of duty led to the suicide of ... [the patient] of whose tendency to commit self destruction he was aware. There was no security against a recurrence of such appalling calamities: some 20⁶⁷ more suicides might take place before any inquiry would be granted.⁶⁸ Infamous language was made use of by him to persons of the highest respectability⁶⁹. [He] mentioned an instance of the Medical Superintendent using very gross language towards a respectable merchant.⁷⁰ Numerous cases of misconduct in office were charged against him; yet an inquiry into the management of that institution was refused, apparently because he was the son-in-law of Dr. Roaf, while an inquiry was instituted into the management of the Penitentiary, as he must suppose, because the warden was the father of the member for Frontenac. Dr. Scott was proved guilty of peculation in a small way, and the government turns the charge into ridicule, although the charge of peculating forage, made against the warden of the Penitentiary, was seriously inquired into, and, although not proved, was stated by Mr. Leslie as one of the grounds of dismissal from office.⁷¹

MR. H. SHERWOOD asked if the ministry intended to permit any farther enquiry⁷²? [He received] a negative answer.⁷³

MR. H. SHERWOOD stated that he deeply regretted it. The Government should have consented to an enquiry after the perusal of the report of the Board. If

that report were allowed to go abroad without any enquiry, it would destroy public confidence in the institution.⁷⁴ [He] pointed out the injury that would result from augmenting suspicion respecting the institution by preventing all enquiry into the affair.⁷⁵ He did not attach any weight to the carrot matter; but he thought the harshness of the Superintendent to the unfortunate inmates was a serious charge, and should be enquired into.⁷⁶ No institution required so much close investigation as one, in which three or four hundred unfortunate beings deprived of reason were detained. The House was told that Dr. Scott was a hasty man, treated his patients harshly, and would they refuse a demand for inquiry? If so, then all confidence in it would be destroyed, and no one would be willing to trust their relatives under the care of a man so incompetent for the office of Superintendent.⁷⁷ The enquiry would not cost anything, as he had no doubt that many benevolent minded people of this city would take the matter up.⁷⁸

MR. INSP. GEN. HINCKS said that the twelve Commissioners who drew up the report had the deepest interest in the welfare of the institution, and if they conceived that Dr. Scott was guilty of the charges preferred, they would most certainly have dismissed him, as they had the power to do so in their own hands. But they did not find that the charges were substantiated, and the Government were bound to sustain their report.⁷⁹ [He] said ... the Government had confidence in ... the Board.⁸⁰

MR. SOL. GEN. MACDONALD asked if the House was to be told that the Asylum must be inquired into, merely because the honourable member for Toronto said there should be an inquiry?⁸¹ [He] asked, who made the junior member for Toronto champion of the Asylum, and went on to reply to the debate, styling the speeches of hon. gentlemen opposite as a mere letting off of gas.⁸² He did not believe an inquiry was the real object of the hon. members opposite; but they had obtained what there could be no doubt was the real object, the delivery of an immense amount of vituperation against gentlemen who were not in a position to answer them.⁸³ [He] opposed the motion.⁸⁴

MR. LYON did not think the course asked to be pursued a proper one; and should vote against the motion. But with regard to the charges, they were admitted in the report.⁸⁵ [He] could not see any use in appointing a committee to investigate this matter again, as it had been investigated fully already by the Commissioners. What decision could the committee come to, other than the Board had come to?⁸⁶ Any report that could be made by the Committee, would not be stronger than that of the commissioners as to the incompetency of Dr. Scott to have the treatment of the insane, particularly as they could take no action on the subject.⁸⁷ It would be impossible for them to rid the Institution of Dr. Scott. The whole responsibility was borne by the Government, and he was desirous that it should be borne by no other.⁸⁸ If the government did not take up the subject and deal with it, it would behave [sic] the house to take other steps.⁸⁹ He should, therefore, oppose the demand for an inquiry.⁹⁰

COL. PRINCE alluded to that part of the report which speaks of Dr. Scott having done as much as could be expected from his limited experience.⁹¹ [He] said that the report of the Board asserted merely that Dr. Scott was a gentleman of hasty temperament, and rather hasty in his language to the servants. Every other part of the debate fell to the ground, and the conclusion of the report, which stated that it was a matter of congratulation that he was in charge [sic] of the Asylum, ought to be quite sufficient to absolve him from this charge.⁹² After ... these preliminary remarks, [he] expressed his belief that the winding up of the report should be borne in mind by this house, and that it should be admitted as an absolution of Dr. Scott in the eyes of this House.⁹³

MR. RICHARDS spoke of the high character of the Board; and contended that confidence should be placed in them.⁹⁴ The report before the House was quite satisfactory, inasmuch as no suspicion could be thrown on the parties who framed it.⁹⁵

MR. J. SMITH of Durham, did not approve of the manner of appointing the Superintendent. To do it by an advertisement in the local papers, was not the way. He said they should not have confined their choice to this Province, but should have got the best man they could from any part of the world. He called particular attention to a sentence in the report, referring to Dr. Scott as an inexperienced person.⁹⁶ [He] argued that the Asylum was not the place to send a medical man to acquire experience which he ought to possess when he went there.⁹⁷ There was no institution in the country which fixed the attention of the people so much as this, and if they found that it was mismanaged, it would necessarily follow that great dissatisfaction would be the result. Nothing could be worse than the infirmity of temper ascribed to the Superintendent, or more calculated to disqualify him for the performance of those duties which necessarily requires the greatest kindness [sic] in a person who has charge of some hundreds of unfortunate beings bereft [sic] of reason.⁹⁸ A blow had been given to the institution through what had taken place from which it would not recover for years.⁹⁹ He did not see that voting for the motion would do much good.¹⁰⁰ [OR] [He] was satisfied that a great blow was struck at the usefulness of the Asylum by the negative put on the motion for inquiry.¹⁰¹

MR. CAYLEY said that justice to Dr. Scott requires that an inquiry should take place. Instead of the complaints not being proved, it appeared to him that all but one had been proved, and he went over the report of the Directors of the Asylum to establish this statement. He believed, for his part, that this report was the most damning one possible, and that none could be made that would not rather believe Dr. Scott than otherwise.¹⁰² It appeared from the evidence before the house that a man of more unfortunate temper for Medical Superintendent could not be found than Dr. Scott.¹⁰³ [He] said a man more disqualified could not be found than a man who is of harsh and imperious behaviour, as admitted in the report to be the character of Dr. Scott.¹⁰⁴ If the Government, however, knew that this was the best report that could go forth for Dr. Scott, let it be so.¹⁰⁵ If the Ministry were satisfied that the report should go before the country rather than the reports of a Committee of the House, then he would recommend that it should be printed for general circulation.¹⁰⁶ He would, in the same spirit as actuated the House the other day on the subject of the Savings Bank, move that some thousands of this report should be printed.¹⁰⁷ As an act of justice to all parties, he thought the Report ought to go before the country.¹⁰⁸

DR. NELSON thought great benefit would result from the discussion.¹⁰⁹ [He] would not vote for the reference of the petition to a committee, because he found it had been already inquired into. But he regretted [sic] greatly to learn that [sic] the result of this investigation was by no means honourable to Dr. Scott.¹¹⁰ [He] admitted that the charges had been proved but¹¹¹ at the same time, the offences charged and proved against him were not of that serious nature which might lead to Dr. Scott's discharge. He believed, however, that the thanks of the community were due to the hon. member for Toronto, for the manner in which he had brought the subject before the House, and he hoped it would do great good to the institution. He was opposed to the practice of permitting inquiries upon all occasions to be made into the conduct of public servants, and mentioned that the vilest accusations had lately been brought against the superintendent of a large public institution at Quebec, which accusation was so utterly groundless that the man who had brought it was fain to back out.¹¹² The prescription book

ought no more to be defiled with punishments of bread and water. These discussions would do good in spurring the Commissioners into the observance of greater stringency in carrying out the rules of the institution, on which it was necessary that the people of Toronto should keep their eye. As the discussion has done all the good that could be expected of it he should vote against the motion.¹¹³

MR. H. SMITH (Frontenac) had been extremely satisfied with the management of the Asylum, as it came under his personal investigation, and was much surprised at the report now laid before hon. gentlemen, and still more surprised at the refusal of the government to grant an investigation.¹¹⁴ [He] had twice visited the Lunatic Asylum, and acknowledged that he had been greatly pleased with what he saw--so much so that he had recommended that one of his own friends should be sent there.¹¹⁵ He had written to some persons to send a lady who is in a state of lunacy, but¹¹⁶ after what had taken place, ... especially after hearing the report of the Directors, he felt that it would be his duty to write and prevent that taking place. He was convinced that the refusal to grant enquiry would be most prejudicial to the Institution.¹¹⁷ He was compelled to feel that there was something wrong in the management of that institution, and he regretted that he must necessarily advise his constituents not to send their relatives thither.¹¹⁸

MR. W. BOULTON said it looked bad in the Government to come down and refuse an investigation, at the same time that a report of the most condemnatory character was put in their hands. It affords in itself the strongest reasons for an investigation.¹¹⁹

(164)

Provincial
Lunatic
Asylum.

Mr. Boulton moved, seconded by the Honorable Mr. Macdonald, and the Question being put, That the Return to the Address to His Excellency the Governor General of the 26th of June last, for copies of the Petition of John Coppins to the Board of Directors of the Provincial Lunatic Asylum, and the proceedings thereon, presented to this House on the 4th instant, be referred to a Select Committee, composed of Mr. Nelson, the Honorable Mr. LaTerrière, Mr. Solicitor General Drummond, Mr. Stevenson, and the mover, to report thereon from time to time; with power to send for persons, papers and records; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Crysler, Duchesnay, Hopkins, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, Meyers, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, and Stevenson.--(17.)

NAYS.

Messieurs Armstrong, Bell, Bouthillier, Cartier, Chabot, Chauveau, Christie, Davignon, Solicitor General Drummond, Dumas, Flint, Fournier, Fourquin, Guillet, Hall, Hincks, Holmes, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McConnell, McFarland, Méthot, Mongenais, Nelson, Notman, Papineau, Polette, Price, Prince, Richards, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Taché, and Viger.--(43.)

So it passed in the Negative.

MR. CAYLEY then moved that a thousand copies of the Report of the Directors of the Asylum be printed for the use of members¹²⁰ [and] for general circulation.¹²¹

SIR A. MACNAB seconded the motion. He thought the report deserved greater

consideration than it had received from the Government; and if Government refused to grant enquiry, he thought the statement should go to the country: and the good sense of the country would force the Ministry to do what is just to many hundreds of poor creatures, who possessed no means of obtaining justice for themselves, and who might, therefore, be sacrificed to this pet physician.¹²²

Some [further] conversation [took place]¹²³.

The motion was ... ruled out of order¹²⁴ [and] postponed¹²⁵ till Friday.¹²⁶

(164)

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Attorney General LaFontaine,

Orders of the Day. Ordered, That the Orders of the day be now called.

Supply. And the Order of the day for the House in Committee of Supply, being read;

The House accordingly resolved itself into the said Committee.

Mr. Scott of Two Mountains took the Chair of the Committee.¹²⁷

MR. INSP. GEN. HINCKS then rose and addressed the House; saying that he was happy to congratulate the country on its great prosperity, as shown by the increase in the importation of various leading articles of consumption.¹²⁸ The import of sugar in 1848 was 10,192,000 lbs; in 1849, 11,536,000 lbs; in 1851, 15,680,000 lbs. Molasses, in 1848, 36,602 cwts¹²⁹. Tea, in 1848, 2,259,294 lbs¹³⁰, in 1849, 3,076,528 lbs; in 1850 [sic], 3,517,166 lbs. Coffee, in 1848, 8,900 cwt; in 1849, 9,532 cwt¹³¹; in 1850, 10,186 cwt. Manufactured Tobacco, in 1848, 1,704,795 lbs; in 1849, 2,463,053 lbs; in 1850, 2,547,162 lbs. In unmanufactured tobacco, a still greater increase would be found, arising, no doubt, from the increased prosperity in the manufacture of that article. In 1848, the importations amounted to 102,205 lbs; in 1849, to 394,228 lbs, and in 1850, to 636,500 lbs. It was difficult to get at the details, with reference to a great quantity of cotton and woollen manufactures, which constituted the bulk of the articles subject to ad valorem duties; because, under the Imperial authority, the Custom House did not take account of these articles separately; but in 1849, the aggregate importations amounted to £3,002,599, and in 1850, to £4,245,517. The increase in the imports from the United Kingdom, in 1850, as compared with 1849, was 44 per cent; from the United States, 32½ per cent; from the sister Colonies, 100 per cent; and from Foreign Countries, 120 per cent.¹³² He would here call attention to an error in the views of some hon. members, which he had pointed out before; but which did not seem to be understood, inasmuch as it had been again repeated by the hon. member for Lincoln. He referred to the tariff, and he was sure that if that hon. member would investigate the subject, he would find that the tariff had not been raised as he had stated¹³³ when compared with the tariff of 1841.¹³⁴

MR. MERRITT said that he did not complain of the tariff being raised; but only pointed out that Canada was placed in a disadvantageous position by having to pay duties to the United States.¹³⁵

MR. INSP. GEN. HINCKS continued. He admitted that his tariff was an increase; but a very slight one. Taking the quantities imported last year, it would be found that Coffee would have paid £9000 more under the tariff of 1841.¹³⁶ The duty on coffee under the present tariff for last year was £5597--under the tariff of 1841 it would have been £14,524; refined sugar, £11,599--under the tariff of '41, £16,302; other sugars, £76,000--under the old tariff, £111,000;¹³⁷ [thus] about £40,000 more.¹³⁸ Molasses, £11,000--under the tariff of '41, £16,000.¹³⁹ [Thus] £3000 [sic] more.¹⁴⁰ Tobacco [was] £10,000 more.¹⁴¹ This shews a very considerable decrease in articles of consumption, although there has been an

increase in manufactured goods.¹⁴² There was another way of stating this fact. Taking the average amount of duties last year, including everything, it amounted to an ad valorem rate of $14\frac{1}{2}$ per cent; and if any former year be taken, it would be found that the rate was very little less indeed.¹⁴³

MR. MERRITT said he did not want to interrupt the hon. gentleman. He had formerly stated that there were four millions of imports on which we had placed additional duty. He made that statement to show that the farmer in Canada paid a much higher duty on these goods, than the farmer on the other side.¹⁴⁴

MR. INSP. GEN. HINCKS resumed.¹⁴⁵ The hon. member complained that the duties in Canada were higher on certain articles than in the U.S.; but he (Mr. H.) believed that the Canadian system, in these very points, was much better than that of the United States; there was for instance no duty on tea in the latter country, but the fact was that every sound political economist would declare that there was no better duty than that levied on tea. In the United States, indeed, the object was to protect certain classes at the expense of others, and therefore, so high duties were levied on manufactures, it made it unnecessary to levy any duty on tea and other articles not produced at home. Here, the object was merely to get a revenue raised in the fairest way that could be devised, and there was no article upon which the duty could be collected more easily or with more general justice than from tea. He had made a comparison of the importation of some leading articles in the two countries, to illustrate this matter further.¹⁴⁶ He had taken the trouble to compare the tariff of the United States and had learned therefrom some interesting facts. 1st it established the fact clearly as to their protective system. Taking the leading articles of manufactures, cotton, woollen, iron, silk and linen, and of these silk and linen are not protected¹⁴⁷ in either country.¹⁴⁸ By a comparison it will be found that in these two articles the United States consume about sixty cents per head against thirty-five cents in Canada of the former, and of the latter twenty-five cents against sixteen.¹⁴⁹ But what was the fact with regard to other articles which were produced?¹⁵⁰ In regard to other articles of manufacture, cotton, woollens, hardware, &c., the consumption in Canada of cottons was about two dollars thirty cents per head, against fifty-eight cents;¹⁵¹ of woollens Canada imported 40 cents per head, and the United States 58 cents per head; of iron and hardware, Canada 84 cents, the United States 54 cents¹⁵², thus showing that where protective duties operate there is a much greater consumption of the imported articles in Canada, and where they do not operate, there is a greater consumption in the States.¹⁵³ So that the protective duties prevent the importation of those kind of goods, though there was every reason to believe, from their great wealth, that they consumed these articles as much in excess of Canada, as the articles mentioned before. The difference was made up by domestic manufactures. The United States duties on an average of all their importations was 20 per cent; and he had made a calculation by which it appeared that the people of the United States paid for protection, in excess of the duties paid in Canada, about 70 cents per head.¹⁵⁴ He contended that on enquiry it would be found that we pay uniformly less under our system than they under theirs.¹⁵⁵ He thought those statements necessary in answer to what had been said. He would now go on to make some reference to the expenditure and revenue. The hon. member for Huron had referred to certain items of expenditure in which there had been a considerable increase: thus endeavoring to establish a charge of extravagance against the¹⁵⁶ present administration in reference to the expenses of the country. With regard to the first of these items--the public debt--he would not go into any statements as to the increase which had taken place.¹⁵⁷ The Ministry had confined itself to the great lines of communication already begun, and undertook no new ones; as their predecessors had done. Even this, however, had made it

necessary to add to the public debt. There had been no increase in the Civil List; and the increase in the Administration of Justice was caused by the increase of population, and the throwing off the expenses of the Administration of Justice in Upper Canada, upon the Consolidated Fund, which was the act of gentlemen opposite. There was also an increase from the greater number of Judges in Lower Canada,¹⁵⁸ with a view to the due administration of Justice, and he felt satisfied that no branch of the public expenditure would be more willingly borne than that expense. Then there was the addition of two Vice-Chancellors to the Bench in Upper Canada.¹⁵⁹ It would be presumptuous on his part to argue that point.¹⁶⁰ He believed the change was generally admitted to be most necessary, and he thought it little consistent with professions of conservatism to attempt to render people dissatisfied on such subjects. He confessed, too, that he had felt not a little surprised on a previous evening to hear hon. gentlemen opposite acknowledge that they had been influenced to retain the court of chancery, which they considered a public nuisance while under the former administration; the only reason they urged for not re-organizing it was, that it involved the necessity of pensioning another judge. The expense of pensioning another judge was, in his opinion as nothing compared to the evils of continuing such a court. Another item to which he would allude was that of attending the sitting of the Legislature, which had varied from £25,000 to £55,000. This variation arose from some sessions having been held soon after the change of Ministry, and being consequently shorter. The next item of expenditure was for the Penitentiary; for which he was happy to say the estimate for the present year would be much smaller than for many years before, as the cost last year had been greatly reduced from that of preceding years. Neither the item for education nor that for hospitals and charities had been materially increased.¹⁶¹ Lastly he came to¹⁶² the principal item of expenditure¹⁶³, miscellaneous charges, some of which had excited a great deal of discussion: but which would not be of a permanent character.¹⁶⁴ These were the local police of Lower Canada, rendered necessary by the disturbance that occurred at Montreal, and the removal of the seat of Government, a question on which there had been a good deal of exaggeration¹⁶⁵, of which question he would offer a few observations.¹⁶⁶ The charges for this removal ought to be divided into three classes. The removal of the offices of the Government would be always an expense, and was an objection to alternate Parliaments, balanced, perhaps, by their other advantages. Then came the furniture, and the repairs of public buildings, the cost of which would have been incurred whether the Government had stayed in Montreal or removed, in consequence of the furniture being destroyed by the fire. Besides, in Montreal an annual rent was paid¹⁶⁷ of £1,500 per annum, representing a capital of £25,000--¹⁶⁸ a sum which would place the province in possession of all the necessary buildings. The whole expense therefore was the cost of removal once in four years, and it made little difference whether the first move was made immediately or in two years to come. As to the cost of purchasing a residence for the Governor General, he thought it wiser policy than the system of renting and laying out money upon the premises leased.--There were also certain items in the estimates which would not occur again--he meant those for the payment of certain long standing claims on the Province. All these had been diligently examined and he felt satisfied that they were just claims. That of Mr. Roebuck could not be denied without the greatest injustice. He had been formally appointed the agent for the Province, with a specific salary and allowance, which was paid for some time, and the sum now in the estimates was the balance due, and he felt sure that this House would be prepared to fulfil to the letter every engagement.¹⁶⁹

MR. SHERWOOD.--It was not voted by the Legislature.¹⁷⁰

MR. INSP. GEN. HINCKS.--It is true but it had been voted by the House of

Assembly, and it should be remembered that the state of politics at that time was such, that it was impossible to have any agreement between the two branches.¹⁷¹ With respect to Mr. Mackenzie's claim: he had been legally appointed, and, however distasteful his proceedings to some hon. gentlemen, no one, who knew him, would doubt that he had worked hard to do what he undertook. He might not have been very discreet; but there could be no doubt that he had worked hard¹⁷², and the Committee appointed to enquire, had fixed the sum at £250. Turning to the general condition of the Province, it was gratifying to know, that the debt, though large, has been invested in works of the greatest advantage, and that these works would not only be extremely useful, but even remunerative. The revenue from them was rapidly improving; so that instead of £25,000 in 1844, it was expected that in the year 1851 they would produce £78,000. This revenue would pay the interest on one million and a quarter pounds, at six per cent. But a portion of that debt was contracted for at only 4 per cent., and another part at 5 per cent. Instead, then, of discouragement at this enormous debt, everything connected with it was an inducement to undertake further improvements; and, no doubt, a great deal having been learned by experience, many past mistakes would be avoided for the future. With reference to a part of this subject, which would, no doubt be brought up separately--namely the Turnpike Roads--he was satisfied that gentlemen who entertained any doubts of the policy of that sale would have those doubts removed before twelve months had elapsed. It would make a difference of £1200 or 1500 to Government.¹⁷³ With regard to his own course, though he wished one of his letters had been more clearly expressed, he declared he was influenced by no other motive than the desire to get the most money for public property, and his colleagues knew that he had been most anxious to put the roads into the very hands of the people who complained that they did not get them.¹⁷⁴ He had been subjected to much unmerited abuse in that part of the country, and also in the County of Wentworth. In the latter place he had met the Council in the frankest spirit. The Council undertook, too, to take the roads; but it happened that the Government had made a considerable contract for laying metal on the roads, which had two years to run, and though it was admitted that this contract was taken on favorable terms, the municipality would not assume it, which would have involved the government in about £2000 to the contractors.--That was why the sale to the municipalities was not completed then. He repeated that he had wished the municipalities to have these roads; but it must be remembered that the Legislature had authorized public companies to construct roads, and he could not see why those in question should be made an exception to this policy. It had been urged¹⁷⁵ by the honourable member for Haldimand¹⁷⁶ that there was a large surplus in the hands of the Government, and that this ought to be applied to the payment of the debt. The real, question, however, was not what surplus existed, but how much was available; for it would be very inconvenient to get rid of this money, and then be forced to go and borrow by the issue of debentures. He could tell hon. members that that balance was chargeable with £50,000 which had, in fact, been paid by the banker in England; and £40,000 of 5 per cent debentures had been purchased on favorable terms. The actual surplus would be found by reference to the public accounts; and the mode of dealing with it had been already discussed. For his own part, he felt that it was important to relieve the trade from the burdens pressing upon it. The government had for some time had under consideration the policy of taking off the tonnage duties on the St. Lawrence, and he could now state that they were prepared to relieve the trade. They were prepared also to reduce the duty on bank issues in a way which he believed met the views of the banks generally. They would probably have preferred that it should not be fettered with the conditions which he intended to impose; but he thought they ought to give some return to the public, and he was convinced that the public at this moment desired nothing so much as the extension of rail-

roads, which, though it might seem to have little connexion with the subject of bank issues, might, he thought, be forwarded by raising a large sum of money through these means. He proposed then, to take off half the duty at once, on condition that the banks should not exceed their present issues, except upon the basis of government security; and giving them three years time to reduce their issues to the average of 1849 and 1850, to take off the whole at the expiration of that period. In this way the banks would be induced to hold a large amount of government securities;¹⁷⁷ and though some gentlemen might suppose that this would injure the commercial interests of the country, he thought [he] could convince them this would not be the case. In the first place, there would be no immediate diminution of the circulation, which might still be continued as at present on the basis of commercial paper, and they would have the option of declining the charge¹⁷⁸ or adopting it. Then they would have three years for the reduction of their issues on this basis, and he was sure it would be generally admitted that there was not in ordinary times any deficiency of banking capital. It was only in times of crisis that any difficulty occurred, and he believed that instead of the banks being embarrassed in those cases by having provincial securities, it would be a great advantage to these institutions to hold such securities, because instead of pressing on their customers, they would be able readily to raise money in New York or London.--¹⁷⁹ Recurring to the surplus, he must again express his opinion that with the certainty that the Province must incur fresh liabilities, he did not think it would be safe to dispose of the existing surplus. There were statements before the House, which would show that the small debentures had been almost all called in. The government was going on issuing new debentures at long dates and paying off the old ones as convenience offered.¹⁸⁰ They had paid off £43,000 since the close of the past year¹⁸¹; there was one branch of the estimates for the public works, which he had not yet referred [sic] to. He meant the Williamsburgh Canal. It was well known that this canal had been spoiled by an error committed in its construction. It was now proposed, as the best job that could be made of it, to make that and the next canal into one work.¹⁸²

MR. CAYLEY said that the country would be very glad to hear that the Government had determined to take off the tonnage duties on shipping, and were turning their attention to the improvement of the navigation of the St. Lawrence below Quebec. The admission which the hon. Inspector General had very candidly made, showed that the tariff of 1849 imposed on the average a higher rate of duty than that established by the tariff introduced by the late Government. It was the increased rate he desired to see reduced. The public accounts showed that the expenditure for the year 1850 was £520,000,¹⁸³ while the revenue collected exceeded £700,000, producing a surplus of £170,000, an amount which he considered it most impolitic and unjust to the country to keep up. The hon. Inspector General had compared the imports of 1850 with 1849 and 1848--but 1848 had been a very disastrous year, and it would have been fairer to have selected a year of equal prosperity with 1850, with which to institute a comparison, for instance 1844. In that year the imports of sugar by sea (one of the items selected by the Inspector General) were 117,167 cwts. He had no return by him of the inland import for that year, but if 1847 furnished any criterion, the return showed 49,375 cwt., making in the aggregate a larger amount than the return quoted for 1850. So also in Tobacco. The imports by sea in 1844 amounted to 1,137,534 lbs.,¹⁸⁴ overland in 1847, 2,419,000 lbs., making together 3,556,534 lbs.¹⁸⁵ equal to the imports quoted for 1850. While he was on the subject of duties, he would refer to another item, on which a very heavy additional duty had been imposed by the act of 1849. The former duty was two-pence per bushel on salt imported inland; one shilling and six-pence per ton on salt imported by sea, less than one-halfpenny per bushel all round¹⁸⁶. Now the act of 1849 imposed 1d per bushel all around, and 12½ per cent. on the value besides. But salt was an article of

general consumption which was used largely for agriculture purposes, and was the last item that should have been the object of increased taxation. The next subject taken up by the Inspector General was the administration of Justice. The hon. member had again repeated his assertion of the previous evening that the increase was attributable to the Conservative policy. That assertion he must again most unequivocally contradict. The bill brought in by the Conservative party in 1846 adjusted the charges for the administration of justice by relieving U. Canada from local taxation, and placing the whole amount on the general revenues. That was bare justice to Upper Canada, Lower Canada having never submitted to any local taxation for that purpose. But what had the present administration done under that head? They had placed a new and permanent charge of £9,000 a-year on the general revenue. Five new judges in Lower Canada and three in Upper Canada, and one pensioned. With reference to that matter of a pension the hon. Inspector General has expressed his astonishment at the scruples professed to be entertained by the late Government, but how had the question stood? The pension list was full at the time that the subject was under consideration, and they had experienced a difficulty in making a provision from other sources, a difficulty from which they were very speedily relieved, by being superseded by the hon. gentlemen opposite. Allusion had been made to the subject of education. The amount for common schools was a fixed one, at £50,000 a-year. The allowance for Upper Canada had always been drawn, but such had not been the case with Lower Canada, and a sum had been allowed to accumulate in the hands of the Government, prior to 1844, 1845 and 1846--thus, the sums paid in these three years averaged £60,000, while the amounts drawn in 1848, 1849 and 1850 had averaged £52,000. It was clear therefore, that that item could not be assigned as one of the reasons for keeping up the duties. The hon. member then made some observations with reference to the Bank Tax, and again urged upon the Government the good policy and justice of reducing the duties, contending that a revenue of £700,000 could never be required to meet an expenditure of £530,000.¹⁸⁷

MR. AT. GEN. LAFONTAINE¹⁸⁸ contended that the Government of 1843 had tried to obtain the consent of the Imperial Government to the reduction of the Civil List. Let hon. members, if they pleased, move for the papers and they would then see whether this was not so. It was the ministry of 1843 that first declared the Province should itself deal with this question. As to the £1000 for Executive Councillors, Lord Metcalfe (as we understood) had taken on himself to do away with that, and though the hon. member had used the word "we" he had not been at the time in the Government. The act of the Government in 1846, in reducing the salaries, was no more than the carrying out of what the previous Government had proposed in 1843. But the Government of 1846 had done what the previous Government had never thought of doing. It had increased the salary of one of its colleagues--the Commissioner of Crown Lands.¹⁸⁹

MR. CAYLEY was proud of having done so. He thought that every member of a government having the same share of responsibility, should receive the same salary.¹⁹⁰

MR. AT. GEN. LAFONTAINE.--Then the hon member deserved a great deal of credit for presenting his services to the country under the fair price; for the hon. gentleman certainly had not received the same salary as the Attorneys General. Mr. Lafontaine went on to say, that he and his colleague had never received any of the fees which previous Attorneys General had been in the habit of taking, and that in 1843, it would be found that he had credited the province with that part of those fees which fell to his share. His successors, Mr. Smith and Mr. Badgley, again received these fees which amounted to some £400. There was a messenger, too, in the Attorney General's office, who was to be paid out of the contingent

allowance; but who, he found, had not received his salary when he (Mr. Lafontaine) took office. Nor was the postage paid out of that contingent allowance. He confessed that he did not blame his predecessors for not paying the postage out of it, for if they had done so, they would have been out of pocket; but he and his colleagues did do so. He went on to state, that though it was known that the days of the late ministry were numbered some time before Parliament had assembled, they had made use of the interval to raise the salaries of clerks £10 here and £20 there, and so on. He also mentioned that they had twice raised the salary of the clerk to the Attorney General by £100 each time.¹⁹¹

MR. CAYLEY said, in reply to what had fallen from the Hon. Attorney General (East,) that the late Administration had submitted in their own person to that reduction of salary, which the present Administration had only talked about. The hon. Attorney General had contended that until the civil list had been sanctioned at home, it was not competent for members of the administration to take a less salary than that allowed by law. Why not? Had it not been done by the late Administration in 1844, two years before the reduced civil list had been sanctioned in 1846. The salary received by the Hon. Mr. Lafontaine, until the day he retired from office in Dec., 1843, was £1,300 sterling a year. The salary received by Mr. Smith, who succeeded him in September, 1844, was fixed at £1,300 currency a year. The Inspector General and Receiver General, up to the time of retiring from office in December, had received £1,100 sterling a year. The same officers in the next Administration--received £1,000 currency; if that was illegal, then all that could be said was that there was a certain sum of money then in the public chest to which his late colleagues were entitled, and which the present Administration were at liberty to deal with as they might see fit. He certainly thought, however, that the conduct of the late Administration, with reference to official salaries, stood in very advantageous contrast with hon. gentlemen opposite, who had on all occasions promised much about retrenchment, who had in 1843 talked about reducing the salaries, and had repeated that threat in 1850, yet who still sat there with all their honours and emoluments undiminished. The late Administration had been taunted with increasing a few poor clerk's salaries on leaving office--and who, he should like to ask, were competent to speak to the meritorious services of those hard worked men, if not those who had witnessed their steadiness, assiduity, and efficiency, for a period of four years? Would not the incoming administration have very naturally replied to applications for increase of salary:--Gentlemen, if the late Administration, who have your services for four years, have not seen fit to recommend you for an increase, how can we award it, who know nothing about you? He (Mr. Cayley) would never regret having recommended those hard working men for an increase, but he did regret that they had not got it.¹⁹²

MR. MERRITT did not doubt but the public would give hon. members on both sides of the house credit for whatever reductions they had made in the expenditure of their government, which moreover were so small in both cases as to amount to nothing of any significance. He had always been in favour of a different system of financial policy.--He had been in favour of a report of the proceedings quarterly, with remarks on what savings had been effected.¹⁹³ He had been in favor of a full report, to be furnished by the Inspector General at the commencement of each session, of the affairs of the preceding year, with remarks on what savings might be made, and the contrary.--¹⁹⁴

Hear, hear, from MR. INSP. GEN. HINCKS.¹⁹⁵

MR. MERRITT [continued:--] He dissented from the arguments of Mr. Hincks when he said the government was now in a state of prosperity. He (Mr. M.) did not believe that high duties showed it in a state of prosperity.¹⁹⁶

MR. INSP. GEN. HINCKS said he had attributed the prosperity of the country to increased consumption.¹⁹⁷

MR. MERRITT went on to argue that as our duties had been increased, our trade had been diminished, and read some figures from the book of Trade and Navigation in support of this view. Since 1849, our trade with the United States had increased to double that amount. Since the Union our expenses had constantly increased, and that would be the case until the Customs duties had been reduced and the revenue curtailed. Our policy was to reduce duties on imports arriving by way of the St. Lawrence, and this would increase our trade with England, and diminish our imports from the United States, and increase our revenue from tolls, as every article passing to the Atlantic, through the Erie Canal, took so much from our Canals.¹⁹⁸

MR. ROBINSON would make a few remarks on one or two points of the Honble. Inspector General's speech which had not been noticed by his hon. friend from Huron. The Hon. Inspector General took great credit to himself for the sale of certain public works in the Province, and the saving to the Province thereby effected. He (Mr. R.) alluded more particularly to the sale of the roads in the County of York, and did not think the hon. gentleman had explained in a satisfactory way his sale of the roads to the company which now held them. He (the Inspector General) said that the county of York did not get the roads "because they could not have everything their own way." Now, from what he (Mr. R.) had read in the public papers on this subject, he thought that assertion was not quite correct, and it was a poor reason to give, that, when the price was £75,000--and which the County Council agreed to give--an addition of so small a sum as £100 was a sufficient inducement to break off the bargain with the County. Had the County got the roads, the surplus revenue would have been spent in improving other roads in the County, whereas now it went into the pockets of a private company; and it was the more important the county should have had them, because the government now declared they would not grant any aid to roads. He (Mr. R.) also objected to the sale of the Whitby Harbour and Road; they had cost £44,674, and had been sold for £20,000 at 5 per cent interest. The harbour itself had given a revenue of quite or nearly £1000 a year--as much as the Province now got--and it would no doubt rapidly increase. The road would, he thought, soon pay the interest on the outlay, and the government, in time, could have taken off the harbour dues on the exports of that part of the country--no trifling relief to the trade.

He (Mr. R.) had always objected to the sale of this harbour in particular. He would also say a word or two on the Inspector General's prospect respecting the Banks. He might not fully understand the proposition of the hon. gentleman; but he believed that it was, in case the duty on bank issues was taken off, the banks should take a certain amount of government securities to aid in the execution of the great Railroad scheme that was spoken of. But they were to restrict their issues to what they were in 1848 and '49. Now, he could see no propriety in thus limiting the business of the banks, which ought only to be regulated by the wants of the trade of the country. The Inspector General said the banks could always raise money on their government securities, when in any difficulty. He (Mr. R.) was not so sure of that; these securities, if found in the market at any time when the bank might find it necessary [*sic*] to convert them into money, might be depreciated in value and sold at a great discount--a result which the government had always hitherto strongly deprecated. The Inspector General might perhaps have in view the establishing some of his pet banks, which the Bill of last year had given to the country. He (Mr. R.) perhaps did not fully comprehend the question from what had been said to-night, and would wait till the proposition came before the House again in a more perfect shape. Reverting again to the sale of the roads in this county, he (Mr. R.) had expected before this time that the

hon gentleman before him (the hon member for Norfolk) would have enquired fully into the circumstances of their sale. He had moved for information respecting it early in the session. The Inspector General said the sale of these roads and other public works would save from £10,000 to £15,000 to the Country. This, he (Mr. R.) contended, would not have been the case, if they had been well managed; their having paid badly just before their sale, was owing to bad management, and was not a sufficient reason for selling them.¹⁹⁹

MR. H. BOULTON condemned the sale of the York Road as a scandalous job perpetrated for the benefit of a speculator.²⁰⁰

Hear from MR. INSP. GEN. HINCKS.²⁰¹

MR. H. BOULTON went over some circumstances of the sale, asserting that²⁰² [he] considered [the] York road company an unreal company. They never were one. They could not bring an action at law.²⁰³ The alleged Company could neither sue nor be sued. It was a downright fraud, and he made the statement advisedly. He asked why the roads were sold to this fraudulent company, at²⁰⁴ a mere trifling advance²⁰⁵ of £100 above the sum offered by the County²⁰⁶ Council²⁰⁷ of York. He believed the parties to this transaction might be made the subject of a criminal prosecution.²⁰⁸ He believed the transaction on the part of the purchaser to amount to forgery: and would be held for such, were it tried before a jury. This was, he said, a job perpetrated with the sanction of the Inspector General, for the benefit of his private friends. It was altogether void, as there was not the shadow of a company in existence.²⁰⁹ The Government should blush for having entered into a contract with such a company, instead of having boasted of the transaction. The Whitby Harbour had been sold to an illegal Company, and there was no more a sale to it than there was to him.²¹⁰

MR. INSP. GEN. HINCKS said he had nothing to do with the sale of the roads, except in connection with the proceedings of the Government, the whole responsibility of which, he was willing to assume.²¹¹ [He] said that if the Road Company was illegal there was a simple mode of testing it, and it might be tested.²¹² The legality of the company, the York County Council had an opportunity of testing, but every effort ... by its opponents ... to upset the company had failed.... As to the manner of the sale (by auction) it was the only manner consistent with common sense, by which the Act authorising the sale could be carried out.²¹³ The public interests were promoted by the course taken; and²¹⁴ at the sale perfect fair play and impartiality was shown to every one²¹⁵. Every person was put on equal footing.²¹⁶ Every person who deposited £500 and registered himself as an intending purchaser, had the right to bid, and not merely the right, but the bids of such persons were solicited.²¹⁷ He proceeded generally to reply to Mr. Merritt.²¹⁸

After a few more remarks²¹⁹, a resolution was proposed by MR. INSP. GEN. HINCKS, that the Committee rise, report progress, and ask leave to sit again.²²⁰

(164)

and after some time spent therein, Mr. Speaker resumed the Chair;

(165)

And Mr. Scott of Two Mountains reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Friday next.

Civil List Act.

The Order of the day for the House in Committee to consider the expediency of amending the Act granting a Civil List to Her Majesty, (9 Vic. cap 114,) and also the Acts 12 Vic. caps. 63

and 64, with a view to the reduction of certain Items in the Schedule to the said first mentioned Act; and also to provide for the Salaries of the Speakers of the two Houses of the Provincial Legislature, being read;²²¹

MR. INSP. GEN. HINCKS [moved] the House ... into Committee to consider the Civil List Act, (and Message of 27th May, with despatches on the subject, referred.)²²²

(165)

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee;

MR. INSP. GEN. HINCKS said the Government had given their best consideration to the question of amending the Civil List, and they found that it was expedient to make some reductions in the salaries.²²³ He observed that he did not deem it necessary to go into lengthened details.²²⁴ The first resolution related to the salaries of Judges.²²⁵ He observed ... that the Government did not propose that the reduction should affect any of the incumbents, but only those to be hereafter appointed.²²⁶ It would be impossible to violate faith with the present incumbents who had accepted office on the understanding that their present salaries should be continued to them. The salary of the Chief Justices who would take office after the present incumbents would be, by the first resolution which he now moved, £900; and the salaries of Puisne Judges would be £800.²²⁷

MR. WILSON was opposed to this proposition. The people were not prepared to see second rate men put on the Bench, for the sake of a few paltry hundred pounds.²²⁸ If first rate men must be got for judges they should not be stinted in their salaries. He referred to the injurious effects produced by low salaries in the State of New York.²²⁹ The example of the State of New York was sufficient to deter the Committee from supporting the Inspector General.²³⁰ A merchant's clerk would get half as much as it proposed to pay for the Chief Justice, and officers of Banks received more.²³¹

MR. H. SMITH (Frontenac) asked why the judges were made a special subject of attack on the part of the Ministry²³² whenever they proposed a scheme for retrenchment.²³³ Under the proposed scales of salaries only second rate men could be got to go on the bench, and he was persuaded that if the law went in operation immediately, with respect to the judges on the bench, that they would walk off en masse.²³⁴ Not a Judge would remain on the Bench, for he believed there was not a gentleman appointed of late years who did not make more by his practice than he now receives as salary. He had another objection to the resolution--it bound the House to support in all time to come the Court of Chancery²³⁵ judges²³⁶, although entertaining a serious intention to get rid of that Court. He incidentally alluded to the diminished rate of Mr. Vice-Chancellor Spragge, as an act of injustice to one of the most industrious Judges in the Court of Chancery, and one who had given the greatest satisfaction.²³⁷ He asked if it were true that Vice-Chancellor Spragge received a less salary [sic] than the other judges²³⁸.

[He] received an affirmative answer.²³⁹

MR. H. SMITH stated that he thought it very wrong, and did not think that he should be placed in an inferior position to others.²⁴⁰ He was in fact degraded by sitting on the Bench with another officer who received £200 a-year more.²⁴¹

MR. AT. GEN. BALDWIN explained that in consequence of the desire evinced by both sides of the House last session for a reduction of salaries, Mr. Spragge was offered the appointment on condition that his salary should be subjected to the approval of Parliament²⁴², and in that he followed English practice. If the Committee thought that the salary of Mr. Justice Spragge should be raised, he should

be perfectly willing.²⁴³

SIR A. MACNAB thought this was an extraordinary arrangement respecting the Court of Chancery by which the Chancellor was given £1250, Mr. Vice Chancellor Spragge £800 for doing Mr. Jamieson's work.²⁴⁴ [He] condemned the lessening of Vice-Chancellor Spragge's salary, and attributed it to the political predilections of the Government.²⁴⁵ It appears to him there was a very nice distinction drawn by the Government between their own partizans and those who were politically opposed to them.²⁴⁶

MR. ROBINSON said a few words, and suggested that the Committee rise²⁴⁷ and ask leave to sit again²⁴⁸ in order to give time for reflection and preparation ... as the subject was important²⁴⁹.

MR. RICHARDS could not conceive that the mere amount of salary could have the effect of degrading any of the Judges of the Court. But, now, forsooth, when a resolution was brought in, in accordance with the views of the committee that considered the question so long, it is met by the argument that it is intended to degrade the Judges.²⁵⁰ [He] contended that if the salaries of these functionaries were ... to be reduced, that Vice-Chancellor Spragge could not complain after the action of last session by the House. It was absurd to say that it placed him in an inferior position.²⁵¹ Mr. Spragge understood perfectly well the conditions on which he had accepted office, and that being the case there was no cause for complaint.²⁵²

MR. H. BOULTON denounced the resolution as a ridiculous attempt at retrenchment, and expressed his astonishment at the difference made in the salary prior to Mr. Spragge, and the salaries prior to other Judges recently appointed.²⁵³ [He] argued that the retrenchment should take place immediately, and that it should apply to other recent appointments as well as to Mr. Spragge.²⁵⁴

MR. AT. GEN. BALDWIN conceived that the Hon. Gentleman could see the season [*sic*] of the difference if he chose to do so. The faith of Parliament was pledged to other Judges; the faith of Parliament was not pledged to Mr. Spragge, who on taking office,²⁵⁵ was distinctly given to understand that his salary would be subject to the opinion of Parliament.²⁵⁶ In reply to Sir A. McNab, he would say that he and the members of the Cabinet were responsible for the introduction of resolutions fixing the salaries of the Chancellors, and the present Chancellor who had brought in the Bill was in no degree responsible. He should therefore entreat Hon. Gentleman to pour out the vials of their wrath on him, and not on a gentleman who was not present to defend himself.²⁵⁷ He (Mr. B.) did not think that the office of Chancellor should have a less salary attached to it than that of some other judges. He did not think the constant custom of imputing corrupt motives to all gentlemen who accepted any office, was either generous or creditable, nor calculated to raise the tone of public morality.²⁵⁸

MR. MACKENZIE spoke at length²⁵⁹. [He] begged the House to adopt one act of retrenchment before it died a political death with this session.²⁶⁰

COL. PRINCE regretted that the poor Judges had been selected by the Inspector General and the member for Haldimand as the objects of attack. They were harder worked than any other person in any other profession in the Province, and were but poorly paid at £1000 per annum. Take the Chief Justice of Upper Canada for example, he would consider it cruel to reduce a farthing of his salary. He should therefore oppose the resolution of the Inspector General. He had one word to say with reference to the ministry. His days in Parliament were numbered, but while he remained he should [*sic*] oppose them as he believed he had almost invariably done hitherto, and he thought he was bound to say that he retired with the firm

conviction that, considering the enormous amount of patronage which had been at the disposal of the ministry and the numerous opportunities the two Attorney Generals had to seat themselves comfortably on the Bench, they were the two most honest Attorney Generals he had ever known.²⁶¹

MR. INSP. GEN. HINCKS summed up the arguments in favour of the ministerial proposition²⁶².

(165)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Dickson reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Friday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Solicitor General Drummond,

The House adjourned.

APPENDIX: 16 JULY 1851.

[MOTION RE: HOUR OF ADJOURNMENT.]²⁶³

MR. ARMSTRONG moved that the understanding that the House adjourn at 10 o'clock, P.M. be no longer acted on.²⁶⁴

MR. H. BOULTON opposed the motion on the ground that towards the close of the Session the most important matters came before the House and it was impossible for members properly to discuss important subjects when they were half asleep.²⁶⁵

After a discussion on the motion of Mr. Armstrong, the understanding that the House adjourn at ten o'clock was rescinded²⁶⁶ [and] the motion was carried.²⁶⁷

[NOTICE OF MOTION RE: PRINTING OF REPORT ON THE PROVINCIAL LUNATIC ASYLUM.]²⁶⁸

SIR A. MACNAB gave notice of a motion for the printing of the report²⁶⁹ of the Directors of the [Provincial Lunatic] Asylum²⁷⁰.

[QUESTION AND ANSWER RE: ADDITIONS TO MEDICAL BOARD.]²⁷¹

MR. W. BOULTON enquired of the ministry whether any addition has been made lately to the Medical Board of U.C., and if so, what are the names of the parties appointed, and the reasons of making such additions, and whether said addition had been made in consequence of written representations made to the government on the subject, or from allegations made in any of the newspapers in the province.²⁷²

MR. INSP. GEN. HINCKS said, that some additions had been made²⁷³ to the Medical Board of Upper Canada. The latter part of the question he considered unusual and improper, and refused to answer it.²⁷⁴

[QUESTION AND ANSWER RE: PURCHASE OF VICTORIA COLLEGE.]²⁷⁵

MR. H. BOULTON enquired of ministers whether any negotiation, or communication, if any, and what kind, has taken place between any members of the government and the authorities of Victoria College at Cobourgh for the purchase or other acquisition, of the building belonging to that Institution for any and for what purpose; and whether such rule be proposed or in contemplation of the said College removing its seat to Toronto, and becoming affiliated with the University of Toronto.²⁷⁶

MR. INSP. GEN. HINCKS said no negotiation [sic] had taken place between²⁷⁷ any member of the Government and the authorities of Victoria College, for the purchase of the building.²⁷⁸ The authorities of the College have made an offer of their building, having understood, they say, that the government [is] contemplating purchasing a building for the reformation of juvenile offenders. Government had not made any answer to that offer. They had for some time contemplated examining the building in order to ascertain what its real value might be, and whether it would suit the intended purpose. He supposed it would be a sufficient answer to say that it is not contemplated by government to take any steps without the sanction of Parliament.²⁷⁹

[WITHDRAWN MOTION RE: POSTPONEMENT OF NOTICES.]²⁸⁰

MR. G. SHERWOOD moved that the orders of the day be taken up and the notices passed over.²⁸¹

A long discussion ensued on this motion.²⁸²

MR. INSP. GEN. HINCKS suggested that one day should be set aside for discussing such motions as resolutions for the Union of the Provinces.²⁸³

Cries of bunkum motions²⁸⁴!

MR. INSP. GEN. HINCKS [continued:--] He thought it better that notices of other kinds should be got through with.²⁸⁵

MR. H. BOULTON rose to speak, but he was interrupted with loud and continued shouts, laughing, and other noises. He maintained the floor for some time, and made some remarks while the interruptions were continued.²⁸⁶

MR. MERRITT did not think that interrupting the hon. member for Norfolk was the best way to facilitate the business of the House, as he had already sufficiently shown that he was not to be put down by such demonstrations. He (Mr. M.) believed the course adopted towards the hon. member for Norfolk very unfair, and during the whole of his 20 years parliamentary experience, he had never known such treatment offered to a member before. He could assure them that however that might do in other countries it would not be tolerated by the people of Canada.²⁸⁷

MR. W. BOULTON rose amid tremendous shouts, noises, and cries of question. He exclaimed with warmth that he had the same right to speak that French gentlemen had, and would not be put down by their cries.²⁸⁸

MR. CHAUVEAU said that the hon. members for Norfolk and Toronto had between them 12 motions on the printed list, and if they thought they were going to speak half a dozen times to them and occupy the time of the House to the exclusion of other business, they were mistaken.²⁸⁹

MR. COM. CR. LANDS PRICE said the opinion did prevail, both in the House and out of it, that the members for Toronto did speak longer, and oftener than was fair, to members who came from a distance. He did not deny the right of members to bring as many motions and to speak to them as long as they liked, but when they saw the House was decidedly against them, he thought they should yield, and not persist in occupying the time of the House against the universal wish of members. They should allow that other members had opinions as well as themselves.²⁹⁰

MR. G. SHERWOOD withdrew his motion.²⁹¹

FOOTNOTES: 16 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: GLOBE, 17 July 1851, MONTREAL GAZETTE, 21 July 1851, PILOT, 22 July 1851; BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST. The debate was also reported by EXAMINER, 23 July 1851.
2. MONTREAL GAZETTE, 21 July 1851. BRITISH COLONIST, 18 July 1851, incorrectly attributed this speech to Mr. Baldwin.
3. BRITISH COLONIST, 18 July 1851. EXAMINER, 23 July 1851, reported that "Mr. Boulton attempted to obtain a hearing in favour of his motion, but was coughed down."
4. EXAMINER, 23 July 1851.
5. BRITISH COLONIST, 18 July 1851.
6. MONTREAL GAZETTE, 21 July 1851.
7. IBID.
8. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST. The debate was also reported by EXAMINER, 23 July 1851.
9. BRITISH COLONIST, 18 July 1851.
10. IBID.
11. IBID.
12. The following papers reported the debate on this matter in identical accounts: GLOBE, 17 July 1851, MONTREAL GAZETTE, 21 July 1851, PILOT, 22 July 1851; BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST.
13. BRITISH COLONIST, 18 July 1851.
14. IBID.
15. IBID.
16. IBID.
17. MONTREAL GAZETTE, 21 July 1851.
18. BRITISH COLONIST, 18 July 1851.
19. MONTREAL GAZETTE, 21 July 1851.
20. BRITISH COLONIST, 18 July 1851.
21. MONTREAL GAZETTE, 21 July 1851.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. BRITISH COLONIST, 18 July 1851.
27. IBID.
28. IBID.
29. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST.
30. BRITISH COLONIST, 18 July 1851.
31. IBID. According to BRITISH COLONIST, this motion was withdrawn by Mr. H. J. Boulton.
32. The following papers reported the debate on this matter in identical accounts: GLOBE, 17 July 1851, MONTREAL GAZETTE, 21 July 1851, PILOT, 22 July 1851; BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST; MONTREAL GAZETTE, 18 July 1851, MORNING CHRONICLE, 19 July 1851, MONTREAL TRANSCRIPT, 19 July 1851, and LA MINERVE, 19 July 1851. The debate was also reported by EXAMINER, 23 July 1851.

33. BRITISH COLONIST, 18 July 1851.
34. MONTREAL GAZETTE, 21 July 1581.
35. BRITISH COLONIST, 18 July 1851.
36. IBID.
37. IBID.
38. MONTREAL GAZETTE, 21 July 1851.
39. EXAMINER, 23 July 1851.
40. HAMILTON SPECTATOR, 19 July 1851.
41. MONTREAL GAZETTE, 21 July 1851.
42. HAMILTON SPECTATOR, 19 July 1851.
43. MONTREAL GAZETTE, 21 July 1851.
44. HAMILTON SPECTATOR, 19 July 1851.
45. MONTREAL GAZETTE, 21 July 1851.
46. IBID.
47. HAMILTON SPECTATOR, 19 July 1851.
48. MONTREAL GAZETTE, 21 July 1851.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. HAMILTON SPECTATOR, 19 July 1851.
54. MONTREAL GAZETTE, 21 July 1851.
55. HAMILTON SPECTATOR, 19 July 1851.
56. MONTREAL GAZETTE, 21 July 1851.
57. HAMILTON SPECTATOR, 19 July 1851.
58. EXAMINER, 23 July 1851.
59. MONTREAL GAZETTE, 21 July 1851.
60. EXAMINER, 23 July 1851.
61. HAMILTON SPECTATOR, 19 July 1851.
62. EXAMINER, 23 July 1851.
63. HAMILTON SPECTATOR, 19 July 1851.
64. EXAMINER, 23 July 1851.
65. HAMILTON SPECTATOR, 19 July 1851.
66. MONTREAL GAZETTE, 21 July 1851.
67. EXAMINER, 23 July 1851. MONTREAL GAZETTE, 21 July 1851, cited "a dozen".
68. EXAMINER, 23 July 1851.
69. MONTREAL GAZETTE, 21 July 1851.
70. EXAMINER, 23 July 1851.
71. MONTREAL GAZETTE, 21 July 1851.
72. BRITISH COLONIST, 18 July 1851.
73. IBID.
74. IBID.
75. EXAMINER, 23 July 1851.
76. BRITISH COLONIST, 18 July 1851.
77. MONTREAL GAZETTE, 21 July 1851.
78. BRITISH COLONIST, 18 July 1851.
79. MONTREAL GAZETTE, 21 July 1851.
80. BRITISH COLONIST, 18 July 1851.
81. MONTREAL GAZETTE, 21 July 1851.
82. HAMILTON SPECTATOR, 19 July 1851.
83. MONTREAL GAZETTE, 21 July 1851.
84. EXAMINER, 23 July 1851.
85. HAMILTON SPECTATOR, 19 July 1851.
86. MONTREAL GAZETTE, 21 July 1851.
87. EXAMINER, 23 July 1851.

88. MONTREAL GAZETTE, 21 July 1851.
89. EXAMINER, 23 July 1851.
90. MONTREAL GAZETTE, 21 July 1851.
91. EXAMINER, 23 July 1851.
92. MONTREAL GAZETTE, 21 July 1851.
93. HAMILTON SPECTATOR, 19 July 1851.
94. IBID.
95. MONTREAL GAZETTE, 21 July 1851.
96. HAMILTON SPECTATOR, 19 July 1851.
97. EXAMINER, 23 July 1851.
98. MONTREAL GAZETTE, 21 July 1851.
99. EXAMINER, 23 July 1851.
100. HAMILTON SPECTATOR, 19 July 1851.
101. MONTREAL GAZETTE, 21 July 1851.
102. HAMILTON SPECTATOR, 19 July 1851.
103. EXAMINER, 23 July 1851.
104. MONTREAL GAZETTE, 21 July 1851.
105. HAMILTON SPECTATOR, 19 July 1851.
106. MONTREAL GAZETTE, 21 July 1851.
107. HAMILTON SPECTATOR, 19 July 1851.
108. EXAMINER, 23 July 1851.
109. MONTREAL GAZETTE, 21 July 1851.
110. HAMILTON SPECTATOR, 19 July 1851.
111. EXAMINER, 23 July 1851.
112. HAMILTON SPECTATOR, 19 July 1851.
113. EXAMINER, 23 July 1851.
114. MONTREAL GAZETTE, 21 July 1851.
115. BRITISH COLONIST, 18 July 1851.
116. EXAMINER, 23 July 1851.
117. BRITISH COLONIST, 18 July 1851.
118. MONTREAL GAZETTE, 21 July 1851.
119. IBID.
120. BRITISH COLONIST, 18 July 1851.
121. MONTREAL GAZETTE, 21 July 1851.
122. BRITISH COLONIST, 18 July 1851.
123. IBID.
124. MONTREAL GAZETTE, 21 July 1851.
125. BRITISH COLONIST, 18 July 1851.
126. HAMILTON SPECTATOR, 19 July 1851.
127. The following papers reported the debate on this matter in identical accounts: MONTREAL GAZETTE, 18 July 1851, MORNING CHRONICLE, 19 July 1851, MONTREAL TRANSCRIPT, 19 July 1851, and LA MINERVE, 19 July 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 18 July 1851, MONTREAL TRANSCRIPT, 22 July 1851, EXAMINER, 23 July 1851, MORNING CHRONICLE, 24 July 1851, BRITISH WHIG, 25 July 1851, LA MINERVE, 24, 26 July 1851; GLOBE, 19 July 1851, MONTREAL GAZETTE, 22 July 1851, PILOT, 22 July 1851, and BATHURST COURIER, 29 July 1851.
128. BRITISH COLONIST, 18 July 1851.
129. MONTREAL GAZETTE, 22 July 1851. The figure given by BRITISH COLONIST, 18 July 1851, was 61,009 cwt.
130. MONTREAL GAZETTE, 22 July 1851. The figure given by BRITISH COLONIST, 18 July 1851, was 259,294 lbs.
131. MONTREAL GAZETTE, 22 July 1851. The figure given by BRITISH COLONIST, 18 July 1851, was 9,232 cwt.

132. MONTREAL GAZETTE, 22 July 1851.
133. BRITISH COLONIST, 18 July 1851.
134. MONTREAL GAZETTE, 22 July 1851.
135. BRITISH COLONIST, 18 July 1851.
136. IBID.
137. MONTREAL GAZETTE, 22 July 1851.
138. BRITISH COLONIST, 18 July 1851.
139. MONTREAL GAZETTE, 22 July 1851.
140. BRITISH COLONIST, 18 July 1851.
141. MORNING CHRONICLE, 24 July 1851.
142. MONTREAL GAZETTE, 22 July 1851.
143. MORNING CHRONICLE, 24 July 1851.
144. MONTREAL GAZETTE, 22 July 1851.
145. IBID.
146. MORNING CHRONICLE, 24 July 1851.
147. MONTREAL GAZETTE, 22 July 1851.
148. MORNING CHRONICLE, 24 July 1851.
149. MONTREAL CHRONICLE, 22 July 1851.
150. MORNING CHRONICLE, 24 July 1851.
151. MONTREAL GAZETTE, 22 July 1851. The figure given by MORNING CHRONICLE,
24 July 1851, was 60 cents.
152. MORNING CHRONICLE, 24 July 1851.
153. MONTREAL GAZETTE, 22 July 1851.
154. MORNING CHRONICLE, 24 July 1851.
155. MONTREAL GAZETTE, 22 July 1851.
156. MORNING CHRONICLE, 24 July 1851.
157. MONTREAL GAZETTE, 22 July 1851.
158. MORNING CHRONICLE, 24 July 1851.
159. MONTREAL GAZETTE, 22 July 1851.
160. MORNING CHRONICLE, 24 July 1851.
161. MONTREAL GAZETTE, 22 July 1851.
162. BRITISH COLONIST, 18 July 1851.
163. MORNING CHRONICLE, 24 July 1851.
164. BRITISH COLONIST, 18 July 1851.
165. MONTREAL GAZETTE, 22 July 1851.
166. BRITISH COLONIST, 18 July 1851.
167. MONTREAL GAZETTE, 22 July 1851.
168. BRITISH COLONIST, 18 July 1851.
169. MONTREAL GAZETTE, 22 July 1851.
170. IBID.
171. IBID.
172. MORNING CHRONICLE, 24 July 1851.
173. MONTREAL GAZETTE, 22 July 1851. The figures cited by MORNING CHRONICLE,
24 July 1851, were £12,000 and £15,000 respectively.
174. MORNING CHRONICLE, 24 July 1851.
175. MONTREAL GAZETTE, 22 July 1851.
176. MORNING CHRONICLE, 24 July 1851.
177. MONTREAL GAZETTE, 22 July 1851.
178. MORNING CHRONICLE, 24 July 1851.
179. MONTREAL GAZETTE, 22 July 1851.
180. MORNING CHRONICLE, 24 July 1851.
181. MONTREAL GAZETTE, 22 July 1851.
182. MORNING CHRONICLE, 24 July 1851.
183. MONTREAL GAZETTE, 22 July 1851. The figure cited by MORNING CHRONICLE,
24 July 1851, was £530,000.

184. MONTREAL GAZETTE, 22 July 1851. The figure cited by MORNING CHRONICLE, 24 July 1851, was 1,137,535 lbs.
185. MONTREAL GAZETTE, 22 July 1851. The figure cited by MORNING CHRONICLE, 24 July 1851, was 3,566,534 lbs.
186. MONTREAL GAZETTE, 22 July 1851.
187. MORNING CHRONICLE, 24 July 1851. The figure cited by MONTREAL GAZETTE, 22 July 1851, was £540,000.
188. MORNING CHRONICLE, 24 July 1851, observed that Mr. Lafontaine spoke "in a voice very indistinctly heard in the gallery".
189. MONTREAL GAZETTE, 22 July 1851.
190. IBID.
191. IBID.
192. MORNING CHRONICLE, 24 July 1851.
193. MONTREAL GAZETTE, 22 July 1851.
194. MORNING CHRONICLE, 24 July 1851.
195. IBID.
196. MONTREAL GAZETTE, 22 July 1851.
197. MORNING CHRONICLE, 24 July 1851.
198. IBID.
199. IBID.
200. IBID.
201. IBID.
202. IBID.
203. MONTREAL GAZETTE, 22 July 1851.
204. MORNING CHRONICLE, 24 July 1851.
205. MONTREAL GAZETTE, 22 July 1851.
206. MORNING CHRONICLE, 24 July 1851.
207. MONTREAL GAZETTE, 22 July 1851.
208. MORNING CHRONICLE, 24 July 1851.
209. MONTREAL GAZETTE, 22 July 1851.
210. MORNING CHRONICLE, 24 July 1851.
211. MONTREAL GAZETTE, 22 July 1851.
212. MORNING CHRONICLE, 24 July 1851.
213. MONTREAL GAZETTE, 22 July 1851.
214. MORNING CHRONICLE, 24 July 1851.
215. MONTREAL GAZETTE, 22 July 1851.
216. MORNING CHRONICLE, 24 July 1851.
217. MONTREAL GAZETTE, 22 July 1851.
218. MORNING CHRONICLE, 24 July 1851.
219. IBID.
220. MONTREAL GAZETTE, 22 July 1851.
221. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 18 July 1851, EXAMINER, 23 July 1851; GLOBE, 19 July 1851,
MONTREAL GAZETTE, 22 July 1851, and PILOT, 22 July 1851.
222. BRITISH COLONIST, 18 July 1851.
223. MONTREAL GAZETTE, 22 July 1851.
224. BRITISH COLONIST, 18 July 1851.
225. MONTREAL GAZETTE, 22 July 1851.
226. BRITISH COLONIST, 18 July 1851.
227. MONTREAL GAZETTE, 22 July 1851.
228. IBID.
229. BRITISH COLONIST, 18 July 1851.
230. MONTREAL GAZETTE, 22 July 1851.
231. BRITISH COLONIST, 18 July 1851.
232. IBID.

233. MONTREAL GAZETTE, 22 July 1851.
234. BRITISH COLONIST, 18 July 1851.
235. MONTREAL GAZETTE, 22 July 1851.
236. BRITISH COLONIST, 18 July 1851.
237. MONTREAL GAZETTE, 22 July 1851.
238. BRITISH COLONIST, 18 July 1851.
239. IBID.
240. IBID.
241. MONTREAL GAZETTE, 22 July 1851.
242. IBID.
243. BRITISH COLONIST, 18 July 1851.
244. MONTREAL GAZETTE, 22 July 1851.
245. BRITISH COLONIST, 18 July 1851.
246. MONTREAL GAZETTE, 22 July 1851.
247. BRITISH COLONIST, 18 July 1851.
248. MONTREAL GAZETTE, 22 July 1851.
249. BRITISH COLONIST, 18 July 1851.
250. MONTREAL GAZETTE, 22 July 1851.
251. BRITISH COLONIST, 18 July 1851.
252. MONTREAL GAZETTE, 22 July 1851.
253. IBID.
254. BRITISH COLONIST, 18 July 1851.
255. MONTREAL GAZETTE, 22 July 1851.
256. BRITISH COLONIST, 18 July 1851.
257. MONTREAL GAZETTE, 22 July 1851.
258. BRITISH COLONIST, 18 July 1851.
259. IBID.
260. MONTREAL GAZETTE, 22 July 1851.
261. IBID.
262. IBID. BRITISH COLONIST, 18 July 1851, reported that "the debate was continued until a late hour."
263. The following papers reported the debate on this motion in identical accounts: GLOBE, 17 July 1851, MONTREAL GAZETTE, 21 July 1851, PILOT, 22 July 1851; BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST.
264. MONTREAL GAZETTE, 21 July 1851.
265. IBID.
266. BRITISH COLONIST, 18 July 1851.
267. MONTREAL GAZETTE, 21 July 1851.
268. The following papers reported this notice of motion in identical accounts: GLOBE, 17 July 1851, MONTREAL GAZETTE, 21 July 1851, PILOT, 22 July 1851; BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST.
269. MONTREAL GAZETTE, 21 July 1851.
270. HAMILTON SPECTATOR, 21 July 1851.
271. The following papers reported this question in identical accounts: GLOBE, 17 July 1851, MONTREAL GAZETTE, 21 July 1851, PILOT, 22 July 1851; BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 19 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST.
272. MONTREAL GAZETTE, 21 July 1851.
273. IBID.
274. BRITISH COLONIST, 18 July 1851.
275. The following papers reported this question in identical accounts: GLOBE, 17 July 1851, MONTREAL GAZETTE, 21 July 1851, PILOT, 22 July 1851; PILOT,

17 July 1851, MONTREAL GAZETTE, 17 July 1851, MONTREAL TRANSCRIPT, 17 July 1851, BRITISH WHIG, 17 July 1851, MORNING CHRONICLE, 17 July 1851, LA MINERVE, 19 July 1851; BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST.

276. MONTREAL GAZETTE, 21 July 1851.

277. IBID.

278. BRITISH COLONIST, 18 July 1851.

279. MONTREAL GAZETTE, 21 July 1851.

280. The following papers reported the debate on this withdrawn motion in identical accounts: BRITISH COLONIST, 18 July 1851, NORTH AMERICAN, 18 July 1851, and HAMILTON SPECTATOR, 19 July 1851, which copied from BRITISH COLONIST.

281. BRITISH COLONIST, 18 July 1851.

282. IBID.

283. IBID.

284. IBID.

285. IBID.

286. IBID.

287. IBID.

288. IBID.

289. IBID.

290. IBID.

291. IBID.

THURSDAY, 17 JULY 1851.

(165)

Hamilton and Gore
Savings Bank.

MR. Speaker laid before the House, a Statement of the Affairs of the Hamilton and Gore District Savings Bank, on the 30th June, 1851.

Appendix (I.)

For the Said Statement, see Appendix (I.)

Petitions
brought up.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--The Petition of Roderick Ross, on behalf of the Building Committee of the County of Carleton General Protestant Hospital.

By Mr. Cauchon,--The Petition of Charles Dion, President, and others, officers of the Association of Teachers of the District of Quebec; and the Petition of Louis C. Lefrançois, Esquire, and others, School Commissioners for the Parish and Municipality of Château Richer, County of Montmorency.

By the Honorable Mr. Boulton,--The Petition of the Municipality of the United Townships of Moulton and Sherbrooke.

By the Honorable Mr. Price,--The Petition of the Municipality of the Township of York; the Petition of the Reverend R. Rogers, President, and others, on behalf of the Kingston Sabbath Reformation Society; the Petition of J.F. Charles and others, of Wolfe Island; and the Petition of William Phippen and others, of the Village of Portsmouth.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Reverend D. Charland and others, of the Village and County of Beauharnois; praying for aid in behalf of the Beauharnois Academy.

Of John Oliver, of the City of Toronto; praying to be allowed to exchange swampy land granted him, for other land.

Of Richard Long and others, of Bradford, Essa, Tecumseth, and West Gwillimbury; of A. Bagshaw, Esquire, and others, of the Township of Brock, County of Simcoe; of the Reverend Edward Denroche and others, of the Town of Brockville, County of Leeds; of the Reverend Francis Tremayne and others, of Leeds, Pittsburgh, and other places, in the County of Leeds; and of the Reverend Robert Blakey and others, of Prescott, County of Grenville; praying that the vested interests of the Clergy of the various Religious Denominations of Christians in the Province, acquired by the Act of settlement of 1840, may be so respected as to prevent any further legislation on the subject of the Clergy Reserves.

Of James D. Hare, of the Town of Dundas; praying that so much of the Bill to amend the Sydenham Mountain Road Act, as provides for closing up the Road called the "Kill horse Road," between lots Nos. 17 and 18 in the 1st Concession of the Township of West Flamborough, may not pass into Law.

Of the Municipality of the Township of Flamborough West; praying that the Bill to amend the Sydenham Mountain Road Act may not pass into Law, and that no alteration be made in the Chapter granting authority to a Company to construct the said Road, further than to transfer the rights of the said Company to George Rolph, Esquire.

Petitions
referred.

Ordered, That the Petition of the Municipality of the Township of Flamborough West, and the Petition of James D. Hare, of the Town of Dundas, be referred to the Standing Committee on Miscellaneous Private Bills.

Answer to
an Address.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, reported to the House, That their Address of the 8th instant, (that His Excellency the Governor General would be pleased to issue his Warrant in favor of the Clerk of this House, for the sum of Five thousand pounds currency, towards defraying the Contingencies of this House,) had been presented to His Excellency the Governor General; and that His Excellency had been pleased to say, that he will give directions that the desire of the House be complied with.

Answer to
Addresses.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, reported to the House, That their Addresses of the 10th and 14th July instant, (that the Papers therein respectively mentioned might be laid before the House,) had been presented to His Excellency the Governor General; and that His Excellency had commanded him to acquaint this House that he would give directions accordingly.

Court of Com-
mon Pleas.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General, the following Return:--

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 16th ultimo, praying His Excellency to cause to be laid before the House, a Return shewing what portion of the revenue arising from Fees received by the Clerks and Deputy Clerks of the Crown and Pleas of the Courts of Queen's Bench and Common Pleas, under the Act 12 Vic. cap. 63, is derived from the Court of Common Pleas, and the business done therein.

By Command.

J. LESLIE,
Secretary.

Provincial Secretary's Office,
Toronto, 16th July, 1851.

(166)

A RETURN shewing what portion of the Revenue arising from Fees received by the Clerks and Deputy Clerks of the Crown and Pleas of the Court of Queen's Bench and Common Pleas, under 12 Vic. c. 63, is derived from the Court of Common Pleas, and the business done there, during the year 1850.

		£	s.	d.	£	s.	d.
Stormont, Dundas and Glengary	1st Quarter	1	12	9			
	2nd do	4	14	1			
	3rd do	2	3	10			
	4th do	1	19	7	10	10	3
Lanark and Renfrew.	1st Quarter						
	2nd do	0	10	0			
	3rd do						
	4th do	0	9	6	0	19	6
Carleton.	Nil.						
Prescott and Russell.	Nil.						
Leeds and Grenville	1st Quarter	1	16	0			
	2nd do	3	6	3			
	3rd do	3	18	3			
	4th do	7	5	6	16	6	0

		£	s.	d.	£	s.	d.
Frontenac, Lenox and Addington. . . .	1st Quarter	2	3	5			
	2nd do	4	7	1			
	3rd do	4	5	0			
	4th do	5	10	6	16	6	0
Prince Edward--1st, 2nd and 3rd Quarters	Nil.						
	4th Quarter				0	7	6
Hastings.--No Return received.							
Northumberland and Durham.--No Account kept by Mr. Jones, the late Deputy Clerk of the Crown.							
Peterborough--1st and 2nd Quarters. .	Nil.						
	3rd Quarter	0	2	6			
	4th do	0	11	2	0	13	8
York.	1st Quarter	15	16	4			
	2nd do	28	10	9			
	3rd do	30	17	7			
	4th do	69	5	3			
Amount of Fees on Government business not exacted		4	4	1	148	14	0
Simcoe.	Nil.						
Wentworth and Halton.--No Return received.							
Waterloo.	Nil.						
Lincoln and Welland	Nil.	0	6	2			
Norfolk	1st Quarter	0	6	2			
	2nd do	1	8	0			
	3rd do	0	18	6			
	4th do	1	4	4	3	17	0
Haldimand	Nil.						
Oxford.	1st Quarter	1	12	8			
	2nd do	3	11	0			
	3rd do	3	12	3			
	4th do	1	18	10	10	14	10
Middlesex--1st Quarter.	Nil.						
	2nd Quarter	0	6	4			
	3rd do	0	1	2			
	4th do	0	8	4	0	15	10
Huron	Nil.						
Kent	Nil.						
Essex and Lambton	Nil.						
				£	209	4	7

A RETURN shewing what portion of the Revenue arising from Fees received by the Clerks and Deputy Clerks of the Crown and Pleas of the Court of Queen's Bench and Common Pleas, under 12 Vic. c. 63, is derived from the Court of Common Pleas, and the business done there, during the Quarter ending 31st March, 1851.

	£	s.	d.		£	s.	d.
Stormont, Dundas and Glengary. . . .	4	15	2	<u>Brought up.</u>	78	19	2
Lamark and Renfrew Nil.				Sinceoe.--No Return received.			
Carleton Nil.				Wentworth and Halton, do.			
Prescott and Russell Nil.				Waterloo.	0	2	6
Leeds and Grenville.	2	0	1	Lincoln and Welland	0	12	7
Frontenac, Lenox and Addington . . .	5	14	0	Norfolk	0	15	6
Prince Edward.	0	13	5	Haldimand	0	6	2
Hastings.--No Return received.				Oxford.	4	6	9
Northumberland and Durham.	0	13	4	Middlesex	1	8	2
Peterborough Nil.				Huron Nil.			
York	59	7	0	Kent. Nil.			
Amount of Crown Fees not exacted.	5	16	2	Essex and Lambton Nil.			
<u>Carried up</u> £	78	19	2		£	86	10
						10	10

Crown Office, Court of Common Pleas,
Toronto, 12th July, 1851.

L. Heyden,
Clerk C. & P.

(167)

RETURN shewing what portion of the Revenue arising from Fees received by the Clerk of the Crown and Pleas, and the undermentioned Deputy Clerks of the Court of Common Pleas, for the year 1850, and first Quarter of 1851, is derived from the Court of Common Pleas under 12 Vic. c. 63.

	£	s.	d.	£	s.	d.
1st Quarter ending 1st April, 1850.	15	16	4			
2nd do do 1st July	28	10	9			
3rd do do 1st October	30	17	7			
4th do do 1st January, 1851	69	5	3			
Amount of Crown Fees in last Quarter, not exacted in accordance with Deputy Inspector General Cary's Letter of 15th October, 1850.	4	4	1	148	14	0
Received by Guy C. Wood, Esquire, D.C.C. & P., United Counties of Stormont, Dundas, and Glengary:--						
1st Quarter ending 1st April, 1850.--No Return.						
2nd do do 1st July	4	14	1			
3rd do do 1st October	2	3	10			
4th do do 1st January, 1851.	1	19	7	8	17	6
				157	11	6
1st Quarter ending 1st April, 1851	59	7	0			
Crown Fees during Quarter not exacted	2	8	0			
Return of Guy C. Wood, Esquire, of 1st Quarter ending 1st April, 1851 . . .				61	15	0
Return of Richard Foquette, Esquire, D.C.C. & P., County of Oxford, 1st Quarter, ending 1st April, 1851				4	15	2
Return of R.D. Miller, Esquire, D.C.C. & P., Niagara, 1st Quarter, ending 1st April, 1851				4	6	9
				0	12	3
				71	9	2

Crown Office, Court of Common Pleas,
Toronto, 23rd June, 1851.

L. Heyden,
Clerk C. & P.

A RETURN shewing what portion of the Revenue arising from Fees received by the Deputy Clerks of the Crown and Pleas for the United Counties of Huron, Perth, and Bruce, and the United Counties of Wentworth and Halton, is derived from the Court of Common Pleas, and the business done there, under 12 Vic. c. 63, during the year 1850, and first Quarter of 1851.

		£	s.	d.	£	s.	d.
Huron, Perth, and Bruce--1st and 2nd Quarters. .	Nil. 1850	1	3	2			
	3rd Quarter, do	2	6	1			
	4th do do				3	9	3
1st Quarter, 1851		.	.	.	0	4	11
					3	14	2
Wentworth and Halton	1st Quarter, 1850	2	2	6			
	2nd do do	5	13	2			
	3rd do do	9	1	6			
	4th do do	8	2	8			
					24	19	10
1st Quarter, 1851		.	.	.	2	4	6
Fees on Ejectment Suits, from 7th September, 1850, to 30th June, 1851 . . . . .		.	.	.	5	19	10
					36	18	4
				£			

Crown Office, Court of Common Pleas,
Toronto, 16th July, 1851.

L. Heyden,
Clerk, C. & P.

Inquests held
at the Prov-
incial Lunatic
Asylum.

The Honorable Mr. Price, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General, the following Return:--

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 10th instant, praying his Excellency to cause to be laid before the House, a Return of the number of Inquests held at the Provincial Lunatic Asylum since its occupancy, and the causes of the deaths, together with the Evidence given at an Inquest held on the body of Mrs. Gilbert, and the result of such investigation.

By Command,
J. LESLIE,
Secretary.

Provincial Secretary's Office,
Toronto, 16th July, 1851.

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RETURN of Inquests held at the Provincial Lunatic Asylum since its occupancy, and the causes of Death.

Number of Inquests.	Number on Register.	Date of Death.	Cause of Death.
1	927	July 11, 1850	Suicide.
2	978	February 10, 1851	Disease of the brain, and paralysis.
3	1012	March 4, do	Suicide.
4	655	do 5, do	Diarrhoea.
5	836	April 16, do	Disease of heart, and dropsy.
6	221	do do do	Epilepsy.
7	895	do 22, do	Epilepsy.
8	184	do 26, do	Marasmus.
9	230	do 28, do	Syncope.
10	939	do 30, do	Epilepsy, and disease of bones of the head.
11	347	May 5, do	Consumption.
12	992	do 8, do	Paralysis, and general exhaustion.
13	808	do 10, do	Marasmus.
14	1061	June 23, do	Disease of brain and liver.

Provincial Lunatic Asylum,
Toronto, 15th July, 1851.

John Scott, M.D.,
Superintendent.

Evidence given at an Inquest held on the body of Mrs. Gilbert, and the result of such investigation:--

City of Toronto,
to wit:

Information of Witnesses, severally taken at the City of Toronto, the 4th day of March 1851, touching the death of Susan Gilbert, then and there lying dead, before George Duggan, Esquire, one of the Coroners of the said City, as follows, at Smith's Hotel:--

Jane Wiggins sworn, and saith:--I saw deceased go into her room last night; she was crying. Mary Doyle called me in the night, and told me Susan Gilbert hung

herself. I went in; found her on her knees: she was tied with a piece of cotton factory round her neck, the other round the crossrail over the footboard. We took her down stairs. She was kindly treated, and took her meals regular.

(Signed,)

Jane Wiggins.

Helena Lambert sworn, and saith:--She, deceased, appeared the last few days very much excited; she was a married woman; had three children. I put her to bed last night, she was quite excited; I stopped with her for a while; she appeared more composed; I left her about half past seven: she had been treated kindly; she has been in about two months; her children came to see her,--she seemed excited at seeing them.

(Signed,)

Helena Lambert.

Mary Doyle sworn, and saith:--I visited the deceased's room about one o'clock this morning, and found her hanging to the crossrail at the footboard. I called Jane Wiggins up, we loosed her; I then went for the Doctor--he came down, and opened a vein, but no blood came; we then took her down and put her in the room she is in now; she was kindly treated while she was there, in the Asylum, by the Doctors and the servants.

(Signed,)

Mary Doyle.

John Scott, M.D., Superintendent of the Provincial Lunatic Asylum at Toronto, being duly sworn, deposeth, that the deceased Mrs. Susan Gilbert has been a patient in the above Institution since 14th January, 1851; she was then afflicted with Lypemaniae or Melancholy; in a greatly distressed state of mind, and strongly disposed to suicide. She was subjected to treatment, and after a short time became much more comfortable; she was closely watched, and for a time restrained from injuring herself; she latterly became more timid and apprehensive, and apparently had lost her suicidal propensity. She had formed an attachment to one of the female patients, whose protection she claimed latterly, and was allowed to have her as a room-mate at night, which was thought desirable as a security. Deponent was in the room of deceased last night, in company with the night nurse, about ten o'clock, when he saw deceased in bed with her companion where she desired to be allowed to remain, which was granted; she was then quiet and composed. Deponent was called by the night nurse at a quarter to one o'clock this morning, and told that the deceased Mrs. Gilbert had hanged herself,--proceeded at once to her room, and found deceased lying on floor; there was a mark round her neck; the body was cold; she was then, in Deponent's opinion, quite dead; tried to get some blood from a vein in the arm, without success.

(Signed,)

John Scott, M.D.

I certify that the above is a correct copy of the Evidence.

George Duggan,

Coroner, C.T.

Verdict--Committed Suicide by hanging herself, when in a state of Insantiy.

G. Duggan,

Coroner, C.T.

Toronto, July 16th, 1851.

Quebec Water
Supply Bill.

The Honorable Mr. Chabot reported from the Select Committee on the Bill further to amend the Acts for supplying the City of Quebec, and parts adjacent thereunto, with water, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

MR. CAYLEY¹ moved that one thousand copies of such parts of the return to an

address of the 26th June last, as contains the letters of John Coppins to the Board of Directors of the Provincial Lunatic Asylum, and the report of Committee of Directors thereon, be printed for the use of the members.² He was of opinion there should be farther enquiry, as the report was very unsatisfactory and imperfect, and was regarded by members on his (Mr. C.'s) side of the House as highly condemnatory of Dr. Scott, while gentlemen on the other side regarded it as exculpatory. He heard from some of the signers of the report, that they considered it as condemnatory. He looked upon the matter as of grave public interest; and the people of this country would press the enquiry whether the Ministry accorded it or not. The circulation of the report would attract public attention to the matter; and he trusted that it would at least have the effect of making Dr. Scott look after his manners.³

A long ... discussion ensued.⁴

Some members of the opposition contended that the ministry had acted very differently in the case of the Warden of the Penitentiary. He had been dismissed by the commissioners without even having an opportunity of cross questioning several of the men who had witnessed against him, six of whom had absconded.⁵

The ministry contended that the Warden of the Penitentiary had been dismissed by the Commissioners after full investigation, and in the case of the Lunatic Asylum, the Medical Superintendent had been sustained after the examination of the commissioners, the charges brought against him being so trivial.⁶ Dr. Scott was the servant of the Board, who had the power of dismissing him, and in whom the Ministry had confidence. They were willing to accede to the motion.⁷ They had no objection to [it]⁸.

MR. H. SHERWOOD said, the Government, in the face of the Report of the Directors, declare that there is nothing wrong in the management of the institution, and censure those who had brought the matter up. Last night they opposed the printing of the Report, to-day they are willing to permit it to be printed; but blame those who bring the matter forward.⁹

MR. COM. CR. LANDS PRICE attacked the hon. members for Toronto and Norfolk [Mr. H. Boulton and Mr. W. Boulton] in a vehement tune, charging them with being actuated solely by sinister motives in the matter.¹⁰

MR. H. BOULTON appealed to the Speaker to say whether the course of Mr. Price was not unparliamentary?¹¹

MR. MORIN the SPEAKER ruled that Mr. Price was out of order.¹²

MR. W. BOULTON, in reply to Mr. Price, said that a contemptible demagogue and slanderer could not injure him. In reference to the denial by Mr. Hincks in a previous debate, and on the authority of Dr. Scott, that the latter had not refused to give evidence unless paid a five dollar fee, Mr. Boulton said he had called upon Dr. King, who assured him that Dr. Scott had refused to give evidence unless this fee were given him, and that the law was pointed out to him, showing him that he was ... not entitled to the fee claimed.¹³

The motion was granted.¹⁴

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On motion of the Honorable Mr. Cayley, seconded by Sir Allan N. MacNab,

Provincial
Lunatic
Asylum.

Ordered, That one thousand copies of such parts of the
Return to an Address of the 26th June last, as con-
tains the letter of John Coppins to the Board of

Directors of the Provincial Lunatic Asylum, and the Report of the Committee of Directors thereon, be printed for the use of the Members of this House.

Registrars' Fees Bill.

Ordered, That the Bill to reduce and regulate the Fees of Registrars in Upper Canada, as reported by the Select Committee to which the same was referred, be printed

for the use of the Members of this House.

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Carleton General Hospital Bill.

An engrossed Bill to incorporate the County of Carleton General Protestant Hospital, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Malloch do carry the Bill to the Legislative Council, and desire their concurrence.

County of York Courts Bill.

An engrossed Bill to alter the periods for holding certain Courts in the County of York, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Recorders of Cities.

Mr. Letellier, from the Committee to take into consideration the expediency of providing out of the County Fee Fund and Consolidated Revenue Fund of the Province, for remunerating the Recorders of Cities for holding the Division Court for that Division of the County or United Counties within the limits of which their respective Cities shall be situate, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient to make provision out of the County Court Fee Fund and Consolidated Revenue Fund of this Province, for remunerating such Recorders of Cities as may be empowered by law to hold the Division Courts of such Divisions of the Counties or Union of Counties within the Circuits of which such Cities may respectively lie, or any other Court of Civil Jurisdiction having jurisdiction over such City or the liberties thereof.

The said Resolution, being read a second time, was agreed to.

Kamouraska and Aylmer Court Houses and Gaols.

Mr. Smith of Durham, from the Committee to consider the expediency of appropriating the monies arising from Duties on Tavern Licenses in the Counties of Kamouraska, Rimouski, and Ottawa, towards defraying the cost of the Court House and Gaol erected at Kamouraska, and the Court House and Gaol now being erected at Aylmer, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient to appropriate the money arising from Duties on Tavern Licenses in the Counties of Kamouraska, Rimouski, and Ottawa, towards defraying the cost of the Court House and Gaol erected at Kamouraska, and the Court House and Gaol now being erected at Aylmer.

The said Resolution, being read a second time, was agreed to.

Kamouraska and Aylmer Court Houses and Gaols Bill.

Ordered, That Mr. Solicitor General Drummond have leave to bring in a Bill to appropriate all monies accruing out of Tavern Licenses in the Counties which form the District of Kamouraska, and in the County of Ottawa,

towards defraying the cost of the Court House and Gaol erected at Kamouraska, and the Court House and Gaol now being erected at Aylmer.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time tomorrow.

Penitentiary
Officers.

Mr. Hall, from the Committee to take into consideration the expediency of providing out of the Consolidated Revenue Fund of the Province, for remunerating the several Officers of the Penitentiary, reported a Resolution, which was read, as followeth:--

Resolved, That it is expedient to make provision out of the Consolidated Revenue Fund of this Province, for remunerating such Officers as may be appointed, according to law, for the purpose of inspecting and managing the Provincial Penitentiary.

The said Resolution, being read a second time, was agreed to.

Circuit or
County Judges.

Mr. Lemieux, from the Committee to take into consideration the expediency of making provision out of the Consolidated Revenue Fund of the Province, for the remuneration of such persons as may be named to sit for any Circuit or County Judge, while such Circuit or County Judge shall be employed in the execution of any Commission for the examination of Witnesses on the trial of any Parliamentary Election Petition, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient to make provision out of the Consolidated Revenue Fund of this Province, for remunerating such Circuit and County Court Judges as may be employed, according to law, in the execution of any Commission for the examination of Witnesses upon the trial of Parliamentary Election Petitions.

The said Resolution, being read a second time, was agreed to.

Bill relating
to Promissory
Notes and Bills
of Exchange.

The Order of the day for the second reading of the Bill to facilitate the negotiation of Promissory Notes and Bills of Exchange, and to relieve the same under certain limitations from the operation of the Usury Laws, being read;¹⁵

MR. HOLMES moved the second reading of the bill to facilitate the negotiation [sic] of Promissory Notes and Bills of Exchange.¹⁶ [He] said, he would merely remark that in deference to the views of certain members in Upper Canada, and in deference to the views of the members for Lower Canada, he had circumscribed his bill so as to make it applicable only to the mercantile classes¹⁷ so that it could not by any possibility affect the agricultural classes¹⁸. To the members for Upper Canada he was satisfied he need not address himself. They were convinced that a change was necessary, and he believed the opinion of the whole country was in accordance with those views, and therefore the members for Upper Canada would give to the bill before the House their cheerful concurrence. He would only say further, that the bill is made in accordance with¹⁹ [and] was analogous to²⁰ an Act now prevalent in England. That Act was first introduced, and enacted for a trial of two years. It was then found to be beneficial²¹ [and] to give general satisfaction there.²² The fears expressed by certain parties opposed to the measure were found to be invalid, inasmuch as the injury that was expected did not result to the community from the application of the bill. After a trial of two years in England, the bill was renewed for other [sic] two years, and again for

other [sic] two years, and subsequently became a permanent Act. He had copied the English Act, but had made it a little more stringent by confining it strictly to business between traders and merchants, by this means relieving the minds of the Lower Canada members from any apprehensions that the agricultural interests would be affected by it. He felt confident that it would be found so beneficial to the country at large, that those who now resist it will be the first to come forward and ask a renewal of the Act.²³ He hoped that hon. gentlemen would withdraw their objections, which they had before urged against the repeal of the Usury Laws²⁴ [and] he trusted that no one would oppose the bill because they could not see that any beneficial results would accrue to themselves from its enactment.²⁵

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Mr. Holmes moved, seconded by the Honorable Mr. Sherwood, and the Question being proposed, That the Bill be now read a second time;

MR. FOURNIER opposed the bill.²⁶ [He] said that as the hon. member from Montreal was an annexationist, he should be content to follow the example of the States. The hon. member went on to show the different rates of interest allowed in the States, and to contend generally against the bill.²⁷

MR. CAUCHON was not opposed to the principle of the bill, and were they to begin society anew, he would not enact any Usury laws; but so many of the agricultural people were involved in pecuniary difficulties, that the operation of this bill would completely ruin them. (Hear, hear.)²⁸

MR. INSP. GEN. HINCKS, it is not intended to apply it to the agricultural interests.²⁹

MR. CAUCHON.--The hon member was a free-trader. He was for free trade in everything; but the necessary effect of the Bill would be that the money lender would say to those who had money from him, "You must give me my money back, because I find that I can now lend my money to the merchant at 10, 12 or perhaps 20 per cent," so that persons borrowing money under the present system, would be deprived of it unless willing to pay the same high rate of interest which merchants might be willing to give. If he was to favour any bill, it would be that one which entirely abolished the Usury Laws, for that would reach everybody; but the present bill would bring the merchant into competition with the agriculturist. He would again repeat that if they were beginning society anew, he would not have Usury Laws; but so many were now involved in debt in the present state of society, without being prepared to meet their liabilities, that three-fourths at least of the agriculturists would be ruined by it. He would, therefore, move that the bill be read a second time this day six months.³⁰

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*Mr. Cauchon moved in amendment to the Question, seconded by Mr. Scott of Two Mountains, That the word "now" be left out, and the words "this day six months" added at the end thereof;*³¹

MESSRS. CHABOT and LETELLIER spoke against the motion.³²

MR. H. SMITH, of Frontenac, at some length opposed the bill; he considered it a measure to benefit the mercantile classes at the expence of the agricultural interests. The fact would be as stated by the hon. member for Montmorenci to coerce the money lender to call in his money, because he could get more for it to invest it in mercantile transactions. He had never heard that assertion combatted. He was sorry he had not beside him a multitude of facts which he brought forward in a previous session when this measure was agitated to show the evils that resulted from the bill introduced into England. It established a species of gambling, and numerous failures took place in consequence,

and even where the failures were deferred, the loss was greater to the parties concerned.³³

MR. H. SHERWOOD said he had already entered fully into the necessity of a modification of the Usury laws when introducing his own bill. However, he could not allow a question in which he had taken so much interest to pass without a remark. It was not fair for his honourable friend to put it to the House whether one class was to be benefitted and another class not to be benefitted by the bill; the principle is, shall there be a modification in the Usury Laws. (Hear, hear.) And if they go into committee they could strike out any words that might be thought proper, so as to adapt the bill to meet the views of the majority of the people. All that his honourable friend from Montreal asks is, that the House allow this bill to be read a second time.³⁴

MR. CHAUVEAU spoke at some length against the bill, rather warmly, in reply to some remarks of the hon. member for Montreal.³⁵

MR. INSP. GEN. HINCKS regretted that this subject had invariably given rise to acrimonious discussion. It was exceedingly unfortunate that it should be so.--He was surprised at the hon. member for Montmorenci; at the outset he declared himself in favour of the repeal of the Usury Laws, as they could not be defended on principle; and at the close of his speech he moved that the subject be postponed six months. He had never found the advocates of the Usury Laws prepared to discuss the subject upon its merits. They only contend that they are in existence, and if repealed the persons who have borrowed money under these laws will be compelled to pay a higher rate of interest. Those who entertain these views ought to consent to some mode of improvement, and a better period could not be selected than the present. Money is so abundant that it would be impossible to get an enormous rate of interest for it. They ought at least to place a limit at something like 8 per cent. They had last session passed a law incorporating the ... Trust and Loan Company to enable them to lend money at 8 per cent., and it seemed a strange thing that honourable members will declare by their votes that they will not consent to any modification in these laws. It must be well known to every hon. gentleman that usury is practised in both Upper and Lower Canada constantly. It is just one of those laws which cannot be enforced, and, therefore, it is not sound policy to retain them on the statute book. He concluded by urging hon. members to allow the bill to be read a second time.³⁶

MR. SOL. GEN. DRUMMOND admitted having changed his mind on this subject. He was now prepared to vote for some change in the laws.--The Usury Laws did protect the poor man in so far as the honest man is concerned, but he is not the man likely to injure the poor man; but they would not protect him against those who were prepared to do him injury.³⁷

MR. AT. GEN. BALDWIN, while admitting that if a change was to be made, the present time was perhaps the most propitious for such a change, manifested a desire to know from his friend the Inspector General, or from the hon. member for Montreal--both of them well acquainted with figures--what the amount of the public indebtedness is, that they might be enabled to look fairly at the probable amount of evil likely to result from any change in the laws. He had asked this question before, but had not got an answer to it.³⁸

MR. W. BOULTON (Toronto) believed that if the Usury Laws were not repealed, half the farms of the country would be in the hands of the Trust and Loan Company, in consequence of the influence that company would have on the monetary affairs of the Province, and he would urge hon. gentlemen to go into committee, in order that it might be discussed.³⁹

MR. G. SHERWOOD (Brockville) announced his determination to vote for the Bill.⁴⁰

MR. AT. GEN. LAFONTAINE understood hon. gentlemen to argue that money was the representation of value, that was to say that £500 in gold in a man's pockets, was of as much value as a piece of landed property worth £500.⁴¹

MR. AT. GEN. BALDWIN. It is worth more.⁴²

MR. AT. GEN. LAFONTAINE--Then why do you restrict the holder of the £500 in cash merely to six per cent., while you permit the man who owns the property worth just the same sum, to sell it for £750 if he could find a purchaser. In the one case there was a restriction; in the other there was none, and if the argument were correct that money was the representative of value, the restriction was unjust. He knew from his own experience as a professional man, that six per cent was not the value paid for money. Higher prices are paid for it by merchants every day. Usury is practised also in the country, and to a greater extent in the country than in towns, and at higher rates--farmers are compelled to pay from 15 to 20 per cent. The Usury laws were then inoperative, but if this Bill were passed, it would merely legalize the payment of eight per cent. by merchants among themselves, a thing that is now done in despite of the laws. On a review of the whole arguments used on both sides he felt convinced that a repeal of the existing laws is necessary for the mercantile and general transactions of the country, and⁴³ now professed himself prepared to vote for the bill--at least for going into committee--though he confessed that he would prefer to raise the legal rate of interest.⁴⁴

MR. HOPKINS thought the advance was made too far in disturbing the Usury Laws by granting a charter to the Trust and Loan Company.⁴⁵

MR. BADGLEY said it appeared to be admitted that usury was rampant through the country, and that more than six per cent. was paid on almost every money transaction. There was a general system of deception practised; banking transactions came under the head, and the perpetuity of that system would be affected by retaining the present laws in force.⁴⁶

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And The Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bouthillier, Cauchon, Chabot, Chauveau, Crysler, Davignon, Duchesnay, Flint, Fortier, Fourquin, Gagy, Guillet, Hopkins, Lacoste, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McConnell, Méthot, Mongenais, Nelson, Papineau, Richards, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Smith of FRONTENAC, Stevenson, Taché, and Viger.--(36.)

NAYS.

Messieurs Badgley, Bell, Boulton of TORONTO, Burritt, Cartier, Christie, Dickson, Solicitor General Drummond, Hall, Hincks, Holmes, Jobin, Johnson, Attorney General LaFontaine, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McLean, Merritt, Meyers, Morrison, Notman, Price, Prince, Sanborn, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, and Wilson.--(31.)
So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Lakes Superior
and Huron
Canal Bill.

The Order of the day for the second reading of the Bill to provide for the construction of a Canal to connect Lakes Superior and Huron, being read;

Ordered, That the Bill be read a second time on Thursday the thirty-first instant.

Bill relating
to Interments.

The Order of the day for the second reading of the Bill to prevent Interments in Buildings used for Public Worship, being read;

Ordered, That the said Order be discharged.

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Ordered, That the Bill be withdrawn.

Navigation
Act.

The Order of the day for the House in Committee for the purpose of taking into consideration certain Resolutions upon which to found an Address to Her Majesty, praying that She will be pleased to sanction the introduction into the Imperial Parliament of a measure to extend the principles recognized in the late Navigation Act, to the natural productions of Canada, being read;

Ordered, That the said Order of the day be postponed until Monday next.

Quebec Fire
Debentures
Act Amend-
ment Bill.

The Order of the day for the second reading of the Bill to amend the Act 9 Vic. cap. 62, enabling Her Majesty to direct the issue of Debentures to a limited amount, and for granting relief to the City of Quebec, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Clerks of
Assize (U.C.)
Office Regula-
tion Bill.

The Order of the day for the second reading of the Bill to regulate the Office of Clerks of Assize in Up-
per Canada, being read;⁴⁷

MR. J. SMITH (Durham) moved the second reading of the bill to regulate duties of Clerks of Assize.⁴⁸

MR. AT. GEN. BALDWIN opposed the bill on the ground that the Clerks of Assize were necessary officers, and that their duties could not be properly performed by the substitutes proposed by the bill. He, therefore moved that the bill be read a second time that day three months.⁴⁹

No seconder could be found for the motion.⁵⁰

MR. H. SMITH, of Frontenac, supported the bill, believing that great injustice was done to clients by the imposition of heavy fees by these officers, and because they were generally appointed from among the political partizans of the administration⁵¹. The sons of the judges and the relations of the ministry received these clerkships as mere sinecure. A relative of the Inspector General had been appointed who was incompetent to discharge his duties; this was the case with many of them.⁵² [This] connection of the Inspector General, ... in a case tried at Cobourg last term, returned one general finding on an action of eleven issues.⁵³

MR. MORRISON.--Then the Clerk was right and you were wrong.⁵⁴

MR. H. SMITH went on to say that it was correctly reported at the time of Mr. Justice Burn's appointment; he had been compelled to nominate this young gentleman in consequence of his relationship with the Inspector General.⁵⁵

MR. INSP. GEN. HINCKS denied that Mr. Burns' reception of the judgeship had been made conditional on his appointing young Hutton⁵⁶ [OR] Hayden⁵⁷ clerk of assize.⁵⁸ The appointment by Mr. Justice Burns was a spontaneous motion on his own part, and he (Mr. Hincks) knew nothing of it until after the nomination had taken place.⁵⁹ Besides,⁶⁰ the Clerk to whom the member for Frontenac referred was⁶¹ not incompetent as had been described, he had taken honours at the University and was a young man of considerable talents⁶²--a person of as great, if not greater talents than any other Clerk of Assize in the Province. But the fact was that he was a poor, unfortunate Reformer and he supposed that was the reason he incurred the wrath of that hon. gentleman.⁶³

MR. W. BOULTON, (Toronto,) supported the statements of the honourable member for Frontenac⁶⁴. [He] stated that some time before the appointment of Judge Burns⁶⁵ he had a conversation with Judge Burns on the subject of the clerkship which he (Mr. Boulton) asked for a friend of his and, which, the latter promised⁶⁶ personally⁶⁷. After the appointment, he (Mr. Wm. Boulton) applied to the judge to keep his promise. Whereupon, Mr. Justice Burns⁶⁸ excused himself from fulfilling his engagement⁶⁹ [and] said he could not keep his word⁷⁰ on the ground that he had accepted the judgeship on the condition that he should appoint young Hutton.⁷¹

MR. INSP. GEN. HINCKS gave the statement a flat contradiction and intimated an intention to apply to Judge Burns himself to ascertain its correctness.⁷²

MR. RICHARDS could not conceive that any Judge dare make such conditions as the member for Toronto mentioned. If that were the case he ought to be impeached.⁷³

MR. W. BOULTON incidently ... observed, that perhaps the expression of the judge was not quite so strong as described.⁷⁴ [He] qualified his statement, by saying that Judge Burns⁷⁵ had at any rate given him to understand that he could not get rid of⁷⁶ making this appointment.⁷⁷

MR. LYON supported the bill, and dilated in severe terms on the loose manner in which Clerks of Assize performed their duties. They went on circuit for the mere purpose of amusing themselves.⁷⁸

COL. PRINCE said a few words condemnatory of the bill, characterising it as mere bunkum and an improper interference with the judges.⁷⁹

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The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Smith of Durham, the Honorable Mr. Macdonald, Mr. Richards, Mr. Wilson, and Mr. Notman, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Bill relating to
Law Expenses (U.C.).

The Order of the day for the second reading of the
Bill to reduce Law expenses, and to establish a Tariff
of Fees for the Superior Courts of Law in Upper Canada,

*being read;*⁸⁰

MR. J. SMITH, of Durham, moved the second reading of the bill, to establish a tariff of fees in the Superior Courts of Upper Canada. He said the principle of the bill was to take the fixing of fees out of the hands of the Judges, and place the power in the Legislature. He went on making remarks explanatory of the bill, and stated that he did not think the Lawyers received too much, but that the Sheriffs did.⁸¹

MR. AT. GEN. BALDWIN said the Sheriffs received too little.⁸²

MR. H. SMITH (Frontenac) said this was a most miserable tariff--the Lawyers

would not be able to live by it. It was said that the hon. member for Durham having made his fortune at the law wished to cut down the fees of all who had to make their living by it. He liked the principle of fixing fees by act of parliament because it enabled every man to see that no lawyer charged him too much, and for this reason he should support the bill.⁸³

COL. PRINCE opposed the bill; contending that the sheriffs are ill-paid at present.⁸⁴

MR. SEYMOUR contended that the lawyers were too highly paid.⁸⁵

MR. INSP. GEN. HINCKS said those lawyers who make such large sums annually do not receive them from fees, but as the voluntary offerings of the people.⁸⁶

MR. W. BOULTON (Toronto) said the profession of the Law was the most miserable of all others; every body felt at liberty to abuse the lawyers. In Pennsylvania, there were no fees at all; the consequence was that any one wishing to employ a lawyer sends the money before hand; and the position of the lawyers there stood higher than here.⁸⁷

SIR A. MACNAB and MR. J. SCOTT (Bytown) opposed the bill.⁸⁸

MR. MACDONALD hoped the bill would be referred to a committee of laymen; as the lawyers were charged with legislating for their own benefit.⁸⁹

A random discussion [ensued] turning upon the respectability of Lawyers, Merchants, and Farmers⁹⁰.

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The Bill was accordingly read a second time.

Mr. Smith of Durham moved, seconded by Mr. Notman, and the Question being put, That the Bill be referred to a Special Committee of five Members, to report thereon with all convenient speed; with power to send for persons, papers, and records;

The House divided:

Yeas, 25.

Nays, 10.

So it was resolved in the Affirmative.

Ordered, That Mr. Smith of Durham, Mr. Seymour, Mr. Wilson, Mr. Richards, and Mr. Stevenson, do compose the said Committee,

Orders deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Taché, seconded by Mr. Duchesnay, The House adjourned.

FOOTNOTES: 17 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: GLOBE, 19 July 1851, MONTREAL GAZETTE, 23 July 1851, PILOT, 24 July 1851; BRITISH COLONIST, 22 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, and NORTH AMERICAN, 25 July 1851. The debate was also reported by EXAMINER, 23 July 1851.
2. MONTREAL GAZETTE, 23 July 1851.
3. BRITISH COLONIST, 22 July 1851.
4. MONTREAL GAZETTE, 23 July 1851, which described the discussion as "somewhat acrimonious" and added that "some members indulged a little fully in personalities."
5. MONTREAL GAZETTE, 23 July 1851.
6. IBID.
7. BRITISH COLONIST, 22 July 1851.
8. MONTREAL GAZETTE, 23 July 1851.
9. EXAMINER, 23 July 1851.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. The following papers reported the debate on this matter in identical accounts: PILOT, 19 July 1851, MORNING CHRONICLE, 19 July 1851; BRITISH COLONIST, 22 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, and NORTH AMERICAN, 25 July 1851. The following papers reported the debate in partially identical accounts: GLOBE, 19 July 1851, MONTREAL GAZETTE, 23 July 1851, PILOT, 24 July 1851, and BATHURST COURIER, 29 July 1851, which copied from GLOBE. The debate was also reported by EXAMINER, 23 July 1851. PILOT, 19 July 1851, commented: "There was considerable discussion on this bill without eliciting anything which had not been said before on a similar motion by Mr. Sherwood."
16. BRITISH COLONIST, 22 July 1851.
17. MONTREAL GAZETTE, 23 July 1851.
18. BRITISH COLONIST, 22 July 1851.
19. MONTREAL GAZETTE, 23 July 1851.
20. BRITISH COLONIST, 22 July 1851.
21. MONTREAL GAZETTE, 23 July 1851.
22. BRITISH COLONIST, 22 July 1851.
23. MONTREAL GAZETTE, 23 July 1851.
24. BRITISH COLONIST, 22 July 1851.
25. MONTREAL GAZETTE, 23 July 1851.
26. IBID.
27. BRITISH COLONIST, 22 July 1851.
28. MONTREAL GAZETTE, 23 July 1851.
29. IBID.
30. IBID.
31. BRITISH COLONIST, 22 July 1851, observed that: "The debate was almost a repetition of that which took place on the bill for modifying the Usury Laws, which was brought in a short time ago by Mr. H. Sherwood." EXAMINER, 23 July 1851, similarly noted: "A discussion of some length followed in which the chief arguments used on the rejection of Mr. Sherwood's bill were reiterated."
32. EXAMINER, 23 July 1851.

33. MONTREAL GAZETTE, 23 July 1851.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. BRITISH COLONIST, 22 July 1851.
45. MONTREAL GAZETTE, 23 July 1851.
46. IBID.
47. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, and NORTH AMERICAN, 25 July 1851. The following papers reported the debate in partially identical accounts: GLOBE, 19 July 1851, MONTREAL GAZETTE, 23 July 1851, PILOT, 24 July 1851, and BATHURST COURIER, 29 July 1851, which copied from GLOBE. The debate was also reported by EXAMINER, 23 July 1851. BRITISH COLONIST, 22 July 1851, termed the debate "purely technical".
48. MONTREAL GAZETTE, 23 July 1851.
49. IBID.
50. IBID.
51. IBID.
52. EXAMINER, 23 July 1851.
53. MONTREAL GAZETTE, 23 July 1851.
54. IBID.
55. IBID.
56. EXAMINER, 23 July 1851.
57. BRITISH COLONIST, 22 July 1851.
58. EXAMINER, 23 July 1851.
59. MONTREAL GAZETTE, 23 July 1851.
60. EXAMINER, 23 July 1851.
61. MONTREAL GAZETTE, 23 July 1851.
62. EXAMINER, 23 July 1851.
63. MONTREAL GAZETTE, 23 July 1851.
64. IBID.
65. BRITISH COLONIST, 22 July 1851.
66. EXAMINER, 23 July 1851.
67. MONTREAL GAZETTE, 23 July 1851.
68. BRITISH COLONIST, 22 July 1851.
69. EXAMINER, 23 July 1851.
70. BRITISH COLONIST, 22 July 1851.
71. EXAMINER, 23 July 1851.
72. MONTREAL GAZETTE, 23 July 1851.
73. IBID.
74. EXAMINER, 23 July 1851.
75. MONTREAL GAZETTE, 23 July 1851.
76. BRITISH COLONIST, 22 July 1851.
77. MONTREAL GAZETTE, 23 July 1851.
78. BRITISH COLONIST, 22 July 1851.
79. IBID.
80. The following papers reported the debate on this matter in identical

accounts: GLOBE, 19 July 1851, BRITISH COLONIST, 22 July 1851, MONTREAL GAZETTE, 23 July 1851, PILOT, 24 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, NORTH AMERICAN, 25 July 1851; EXAMINER, 23 July 1851, and BRITISH WHIG, 29 July 1851.

81. MONTREAL GAZETTE, 23 July 1851.
82. IBID.
83. EXAMINER, 23 July 1851.
84. IBID.
85. IBID.
86. IBID.
87. IBID.
88. IBID.
89. IBID.
90. MONTREAL GAZETTE, 23 July 1851.

FRIDAY, 18 JULY 1851.

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Petitions
brought up.

THE following Petitions were severally brought up,
and laid on the table:--

By the Honorable Mr. Price,--The Petition of
W.S. Burnham and others, members of the Order of the Sons of Temperance.

By Mr. Chauveau,--The Petition of N.F. Belleau, Esquire, and others, of the
Parish of St. Amroise, Jeune Lorette, County of Quebec, and of the City of Quebec.

Seigniorial
Tenure.

Resolved, That a Message be sent to the Legislative Council,
praying their Honors will permit the Honorable George
René Saveuse de Beaujeu, one of their Members, to

attend the Select Committee to which are referred the Resolutions of this House of
the 26th June, 1850, relating to the Seigniorial Tenure in Lower Canada, on Monday
next, at eleven o'clock in the forenoon, to be examined on the subject of the said
reference.

Ordered, That Mr. Gugy do carry the said Message to the Legislative Council.

Eighth
Report of
Committee on
Private Bills.

The Honorable Mr. Chabot, from the Standing Committee
on Miscellaneous Private Bills, presented to the House the
Eighth Report of the said Committee; which was read, as
followeth:--

Your Committee have examined the engrossed Bill from
the Legislative Council, intituled, "An Act to incorporate the Toronto School of
Medicine," and have made amendments thereto, which they respectfully submit for
the consideration of Your Honorable House.

Your Committee have also examined the Bill to authorize the Trustees of the
Toronto General Burying Ground to acquire an additional lot of land, and have
agreed to an amendment, which they submit for the consideration of Your Honorable
House.

They have also examined the Bill to vest a certain allowance for Roads in the
Township of Woodhouse, in the County of Norfolk, in Andrew Thompson, and have
agreed to report the same without amendment.

A. Thompson's
Road Allowance
Bill.

Ordered, That the Bill to vest a certain allowance for
Roads in the Township of Woodhouse, in the County of
Norfolk, in Andrew Thompson, be engrossed, and read
the third time on Monday next.

Toronto
School of
Medicine Bill.

Ordered, That the engrossed Bill from the Legislative
Council, intituled, "An Act to incorporate the
Toronto School of Medicine," as reported from the
Standing Committee on Miscellaneous Private Bills,

be committed to a Committee of the whole House, for Monday next.

Toronto
General
Burying
Ground Bill.

Ordered, That the Bill to authorize the Trustees of the
Toronto General Burying Ground to acquire an additional
lot of land, as reported from the Standing Committee
on Miscellaneous Private Bills, be committed to a
Committee of the whole House, for Monday next.

Petition to
be printed.

Ordered, That the Petition of the Reverend Z. Sirois and
others, of the Parish of St. Pierre, Rivière du Sud,
County of L'Islet, be printed for the use of the

Members of this House.

Public
Business.

Mr. Jobin moved, seconded by Mr. Mongenais, and the Question being proposed, That for the remainder of the Session, this House do meet every Saturday at ten o'clock in the forenoon, and continue to sit until two o'clock, unless previously adjourned;

The Honorable Mr. Chabot moved in amendment to the Question, seconded by Mr. Lemieux, That the word "two" be left out, and the word "five" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin of NORFOLK, Bouthillier, Cartier, Chabot, Crysler, Davignon, Solicitor General Drummond, Dumas, Flint, Fortier, Fourquin, Gugy, Guillet, Hincks, Holmes, Hopkins, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, McLean, Merritt, Méthot, Mongenais, Price, Scott of BYTOWN, and Smith of DURHAM.--(29.)

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NAYS.

Messieurs Cauchon, Chauveau, Duchesnay, Fournier, Jobin, Morrison, Notman, Papineau, Richards, Taché, and Wilson.--(11.)

So it was resolved in the Affirmative.

And the main Question, so amended, being proposed, That for the remainder of the Session, this House do meet every Saturday at ten o'clock in the forenoon, and continue to sit until five o'clock, unless previously adjourned;

Mr. Duchesnay moved in amendment to the Question, seconded by Mr. Davignon, That all the words after "That" to the end of the Question be left out, in order to add the words "on Saturdays this House do sit as on every other day, beginning at three o'clock in the afternoon" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

Quebec Marine
and Emigrant
Hospital.

The Honorable Mr. Attorney General LaFontaine, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 3rd July, 1851, for copies of all Correspondence between the Government, the Board of Trade, Dr. James Douglas, the Commissioners, House Surgeon, and Visiting Physicians of the Quebec Marine and Emigrant Hospital, and other parties, touching the management of the said Establishment.

Appendix (R.R.)

For the said Return, see Appendix (R.R.)

Ordered, That One thousand copies of the said Return be printed in pamphlet form, for the use of the Members of this House.

Jurors Act
(U.C.)Amendment Bill.

Ordered, That the Honorable Mr. Baldwin have leave to bring in a Bill to amend the Upper Canada Jurors Act of 1850, and to make some further provisions for the better accomplishment of the object thereof.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Joint Stock
Road Companies.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented, pursuant to an Address

to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 5th ultimo, praying His Excellency to cause to be laid before the House, a Tabular Return of the several Companies formed in this Province under the authority of two several Acts passed in the second Session of the present Parliament, Caps. 56 and 84, authorizing Joint Stock Companies to construct Roads and other works; the amount of capital subscribed in each, whether for Roads and other works, and the extent of Road contemplated by each Company.

Appendix (S.S.)

For the said Return, see Appendix (S.S.)

Ordered, That the said Return be printed for the use of the Members of this House.

Registrars in
Upper Canada.

The Honorable Mr. Hincks also presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 28th May last, praying His Excellency to cause to be laid before the House, a Return shewing the emoluments of office of the several Registrars in Upper Canada for the past year, and particularizing as far as can be conveniently done the various sources of such emoluments, with the dates of their respective appointments to office.

Appendix (T.T.)

For the said Return, see Appendix (T.T.)

Ordered, That the said Return be printed for the use of the Members of this House.

Normal
School, and
Inspectors of
Common Schools
(U.C.)

The Honorable Mr. Attorney General LaFontaine moved, seconded by the Honorable Mr. Price, That this House will immediately resolve itself into a Committee, to take into consideration the expediency of providing for the support and maintenance of a Normal School in Lower Canada, and for the payment of Salaries of certain Inspectors of the Common Schools in Lower Canada;

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject matter of this Motion, recommends it to the consideration of the House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Scott of Bytown took the Chair of the Committee;¹

MR. AT. GEN. LAFONTAINE moved a resolution to devote £300 annually out of the unexpended Common School Fund, for the support of the Normal School. He explained that it was not his intention to ask any sum for the erection of a building, as had been voted last year for the U.C. School. If the Common School Fund would not bear the expense, then he proposed that the difference should be provided from the revenue of the Jesuits' Estates, which is generally applicable to educational purposes.²

MESSRS. ROBINSON and J. SMITH of Durham, alluded to the expenses of the Upper Canada Normal School, which they censured as being extravagantly high.³

MR. ROBINSON would willingly support the measure although he had apposed the appropriation last year of the £1500 for the erection of this Upper Canada Normal School. It was said by some that the people of Lower Canada are opposed to education: he did not believe the assertion, but if that were the case, the best mode of proving that distaste would be effected by sending good masters among them.⁴

MR. AT. GEN. LAFONTAINE replied with some warmth⁵ that it was true that a distaste for education was felt by some portion of the Lower Canadians, but the reproach

was not applicable to the people of French origin, for the example was set them by English people, and they were unfortunately encouraged in it by men of education.⁶ He denied that there was any opposition to education among the habitans. All there was came from a few educated men who sought to make political capital out of it.⁷ The hon. member for Simcoe should understand that a Normal School was not a new thing in Lower Canada;⁸ Normal Schools were known in Lower Canada before they were known in Upper Canada⁹. One had been long established, and was only broken up by the act of the Legislative Council in 1835, when all the other schools in the Province were also closed.¹⁰

MR. HOLMES supported the motion, and alluded to the speech of Lord Elgin¹¹, the Governor General, on a recent occasion,¹² on the subject of Normal Schools, in very complimentary terms.¹³ [He] stated that His Excellency had there portrayed the happy result of the establishment of Normal Schools in the Upper Province, and he sincerely hoped that every facility would be afforded for the establishment of Schools in Lower Canada.¹⁴ He said His Excellency's sentiments did honour to him.¹⁵

MR. SOL. GEN. DRUMMOND asserted that it was a mistake to suppose that the Lower Canadians were opposed to education. They were opposed to taxation, and feared that if they submitted to the mode of taxation, established by the Common School law, they would be taxed for everything else. The riots which had occurred in Sancheizweal were caused solely by this fear, that similar riots, amounting almost to rebellion, had occurred in the State of New York on the introduction of a new School law.¹⁶

MR. BADGLEY was happy to see the motion introduced by the Hon. Mr. Lafontaine, as the establishment of this Normal School would effectually remedy a great deficiency in the system of education in Lower Canada--the school teachers¹⁷ of the Eastern Townships¹⁸ being generally procured from the United States, and being, in the majority of instances, exceedingly incapable.¹⁹ [They] were generally men of very insufficient education. It was desirable to have a better set of men.²⁰

MR. H. SHERWOOD ... asked whether the Lower Canadians were not opposed to education.²¹

MR. AT. GEN. LAFONTAINE charged Mr. Sherwood and his colleagues, when in office four years since, with aiding Mr. Turcotte to render the Common School Law inoperative.²²

MR. H. SHERWOOD in reply taxed the Government with having removed by a writ of certiorari an indictment against Mr. Fourquin to the Superior Court, and with having then entered a nolle prosequi.²³ Il ajouta que le Haut-Canada se taxait directement pour le soutien de son école normale, et que ce n'était que lorsqu'il prouvait qu'il s'était taxé pour la moitié de la somme requise, que l'autre moitié lui était donnée par le gouvernement; que le Bas-Canada était opposé à l'éducation; et qu'il ne se taxait pas et recevait cependant l'argent public.²⁴

MR. AT. GEN. LAFONTAINE ... a rappelé les ... [actes] de l'ex-administration à l'endroit de l'instruction publique, et lui a rappelé que lorsque la place de solliciteur-général fut offerte à M. Turcot, celui-ci stipula comme condition d'acceptation qu'il s'opposerait à la loi de l'enseignement, et que cette dégradante et odieuse stipulation fut acceptée; que cette ignominie était écrite et que si on la niait, il enverrait de suite un messenger chercher les documents justifiables de son assertion; que M. Sherwood avait inconsidérément introduit dans la discussion le nom de l'un de ses collègues députés pour blesser ses sentiments et qu'encore

il l'avait fait en torturant et en dénaturant les faits; que ce qu'il disait de la procédure suivie à l'endroit de l'affaire Fourquin était uniquement ridicule, et que le gouvernement depuis 1848, époque à laquelle il était rentré au pouvoir, n'avait filé de nolli prosequi dans aucune cause ... qu'il n'était pas vrai que le Haut-Canada se taxât pour le soutien de l'école normale; que la somme nécessaire à son entretien était d'abord déduite de l'allocation générale, et que le peuple était obligé de trouver par une taxe seulement une somme égale à l'excédent.²⁵

MR. H. SHERWOOD wished to be informed plainly and positively whether a true bill for conspiracy and riot had not been returned against Mr. Fourquin by the Grand Jury at Three Rivers.²⁶

MR. SOL. GEN. DRUMMOND said that a true bill had never been returned against a member of the House since he had taken office. He was at a loss to understand how the hon. member for Toronto made out that the indictment could be removed by a writ of certiorari.²⁷ Il dit que M. Fourquin, apprenant qu'il allait être pris, l'alla trouver à Montréal lui demandant s'il ne pourrait pas éviter d'être pris en donnant caution; que lui, M. Drummond, lui répondit que précisément parce qu'il était son collègue il ne pouvait rien faire pour lui et que les magistrats qui avaient signé son arrestation devaient seuls régler cette affaire;--que M. Fourquin ne fut pas amené devant une cour inférieure; que la plainte fut portée directement devant la cour du banc de la reine et que c'est avec bonheur qu'il apprit ensuite que M. Fourquin n'était pas coupable et qu'il avait été déclaré innocent par le grand jury de son pays.²⁸

MR. H. SHERWOOD repeated his questions, stating that he had been informed on reliable authority that the government had taken the course to which he alluded.²⁹ [He] would make farther enquiry, and make an abnegation of his statement, if he found it not true. He said further, that he should not have made the attack had he not been goaded on by an attack of Mr. Lafontaine, relative to Mr. Turcotte.³⁰

MR. AT. GEN. LAFONTAINE said the late Ministry had accepted Mr. Turcotte as Solicitor General upon the written promise that he should oppose the system of taxation in the present School Act.³¹ [He] and several other gentlemen confirmed Mr. Drummond's denial, and [he, Mr. L.] expressed his astonishment at the nature of Mr. Sherwood's question, and at his pursuing a course intended to lacerate the feelings of an hon. member, as well as to annoy and irritate the members of the ministry.³²

DR. NELSON warmly defended the Lower Canadians from the charge of being opposed to education.³³

MR. ROBINSON explained that he had brought no such charge.³⁴

MR. BADGLEY denied that Mr. Turcotte had ever said any thing to him about education, and all that he (Mr. B.) had done was to assent to his appointment. He (Mr. B.) had never heard any thing of the written proviso alluded to by Mr. Lafontaine. He censured the bad feeling displayed and suggested that it would be better if hon. members would not display so much warmth, and exercise a little more forbearance.³⁵ [He claimed] for himself and his colleagues, complete freedom from the charge of ever having done anything to discourage education in Lower Canada.³⁶

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Scott of Bytown reported, That the Committee had come to a Resolution. Ordered, That the Report be received to-morrow.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

Trinity
College Bill.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate Trinity College," without any Amendment: And also,

Bill relating to
a By-law of
Peterborough
Municipal
Council.

The Legislative Council request this House to communicate to their Honors, the grounds, evidence and documents on which is founded, the Bill, intituled, "An Act to indemnify the Municipal Councillors of the County of Peterborough, and others, for acts done under a certain By-Law of the Municipal Council of the said County which was afterwards quashed". And also,

Seigniorial
Tenure.

The Legislative Council do give leave to the Honorable René Saveuse de Beaujeu, one of their Members, to attend the Select Committee to which are referred the Resolutions of this House of the 26th June, 1850, relating to the Seigniorial Tenure in Lower Canada, on Monday next, at eleven o'clock in the forenoon, to be examined on the subject of the said reference, if he thinks fit.

And then he withdrew.

Niagara Har-
bour and
Dock
Company.

A Petition of the Honorable William Cayley was brought up by Sir Allan N. MacNab, and laid on the table.

Ordered, That the said Petition be now received and read; and the Rules of this House suspended as regards the same.

And the said Petition was read; praying for leave to present a Petition on behalf of the Niagara Harbour and Dock Company, with which he is entrusted as a Member of this House, and which from ignorance of the Rules of the House was not forwarded to him within the period fixed for the reception of Petitions for Private Bills.

Ordered, That leave be given to bring up the Petition of the Niagara Harbour and Dock Company, praying for a Private Bill.

Quebec Fire
Debentures
Act Amend-
ment Bill.

An engrossed Bill to amend the Act 9 Vic. cap. 62, enabling Her Majesty to direct the issue of Debentures to a limited amount, and for granting relief to the City

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of Quebec, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Act therein mentioned, enabling Her Majesty to direct the issue of Debentures to a limited amount, and for granting relief to the City of Quebec."

Ordered, That the Honorable Mr. Chabot do carry the Bill to the Legislative Council, and desire their concurrence.

Primogeniture
Abolition Bill.

The Order of the day for the House in Committee on the Bill to abolish the right of Primogeniture in the succession to Real Estate held in fee simple or for the life of another in Upper Canada, and to provide for the division thereof amongst such of the Relatives of the last proprietor as may best accord with the relative claims of

such parties in the division thereof, being read;

The House accordingly resolved itself into the said Committee.

*The Honorable Mr. Badgley took the Chair of the Committee;*³⁷

On the clause being read for distributing the share of the estate of a deceased father, coming to a son also deceased, among that deceased son's children--³⁸

MR. H. SMITH of Frontenac, opposed the clause, alledging [sic] as a reason for his opposition, that this division and sub-division of estates would make it almost impossible to wind up estates, because it would be exceedingly difficult to find all the heirs.³⁹ [He] suggested that the third clause of the bill providing for the sub-division of property among the grand-children of a person dying intestate should be struck out.⁴⁰

MR. AT. GEN. BALDWIN objected to the suggestion of the hon. gentleman as it struck directly at the principle of the bill.⁴¹

MR. H. BOULTON (Norfolk,) had voted for the motion to go into committee on this bill, but he perceived a great probability of danger if the clause before the Committee were passed into a law. It should be remembered that the population of this Province is of a migratory character, that it is composed of people of all nations, and that it is by no means settled, members of the same family being found in Europe and in all parts of the Province.--It must necessarily result that it would be extremely difficult in many cases to find out the owner of property, and lands throughout the Province would be squatted by persons who had no possible claim on them, but whom it would be extremely difficult to remove except at enormous expense in litigation.⁴² [He] agreed that it woul [sic] be proper to make some provision to prevent the sub-division of estates in such a manner, that, it being impossible to ascertain the heirs, portions of the property would get into the hands of parties having only a temporary interest, and they would neglect its cultivation, as such persons always did to the great injury of the property. Now he believed that the best way to carry out the principle of this law, would be to treat landed estates in the same way as personal property, that was to say, to allow the landed estate of a deceased intestate, to pass to his administrator; or else to let the heir at law⁴³ of a deceased person to take on himself the management of the estate provided each of the⁴⁴ other children⁴⁵ was paid a due proportion of the annual rental of property⁴⁶ on their coming to age.⁴⁷

MR. AT. GEN. BALDWIN replied.--He admitted that the existing law was a more simple one than the law of partition. It was evident that there would always be more room for litigation when there were several heirs to a property than when there was only one⁴⁸, but the argument thus made use of was directly opposed to the principles of natural justice, on which the bill was founded.⁴⁹ [He] said the principle of the bill had been in operation since the revolution in the State of New York, and at none of their conventions has there been any proposal to alter it.⁵⁰ At the same time it was probably a grave consideration whether distant collaterals should not be cut off from the succession.⁵¹ With regard to [these] collateral heirs he was willing to reconsider that point with a view to adopt the suggestion of the hon. member for Norfolk.⁵²

Some discussion [arose] respecting the principles on which property is divided in the United States⁵³.

The clause was carried, and the committee rose, reported progress, and asked leave to sit again.⁵⁴

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Badgley reported, That the Committee has made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

Election

Petitions Bill.

The Order of the Day for the House in Committee on the Bill to repeal the several Acts of the Parliaments of Lower and Upper Canada now in force for the trial of Controverted Parliamentary Elections in the two sections of the Province respectively, and to provide by one General Act for the trial of all Parliamentary Election Petitions, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cartier took the Chair of the Committee;⁵⁵

MR. MACDONALD contended that the proper course with regard to controverted elections was to leave them to be tried by Courts of Law. The fact was that the House was a most unfit tribunal to try these cases, inasmuch as the members were almost always interested parties. What made the matter worse, too, was that not only were the members who were placed upon the election committee interested parties, but the controverted elections were generally submitted to them in the first session after a general election, when hon. members were naturally under the influence of excited party feelings.⁵⁶ He was satisfied that they would place so much confidence in the bench that both parties would submit to the decision of the Judges in such a case without a murmur.⁵⁷ There was but one reason why this should not be done--that was the supposed danger of resigning the privileges of Parliament, which our ancestors had conquered by slow and painful degrees. But the fact was that the fear was a mere bugbear. There might have been something in that previous to 1668; but at present both in England and in this country, the circumstances which justified it had long ceased. The judges were no longer the venal servants of the crown; and the Parliament was known on all hands to be supreme. There could then remain only one other objection to submitting these cases to the law courts--that was the expense. Now, to obviate that he would suggest that three judges should come to the seat of Government from each section of the Province, on the 15th day after the session, for the trial of all election petitions. That would substitute an unsuspected tribunal for the present unjust tribunal; and it would be carrying out the principle of the Municipal Bill.⁵⁸ In some respects the present bill was better than the old one, in some respects he did not like the principle; but the ballot introduced was an improvement.⁵⁹ Upon the whole he approved of the present bill; especially the abolition of the nominees. He understood the original views of the hon. Attorney General were in favour of committing the election trials to the judges, and he hoped he would revert to those views.⁶⁰

MR. AT. GEN. BALDWIN stated that he had listened with great pleasure to the able remarks of the hon. gentleman who spoke last. It was all important that the public mind should be well imbued with the great principles he had brought out.⁶¹ [He] admitted that he was very much disposed to the views just enumerated by the hon. member. No doubt, the best tribunal would be one formed from the bench of judges; but what he feared was this, that the committing such cases to the judiciary would be the way to lower the judges from their present high position before the public, and to subject them to the suspicion of being actuated by partizan motives.⁶² By throwing the burden of those trials upon the Judiciary it might injure its character. He was satisfied that it was a tribunal infinitely superior to any other that could possibly be established. But he could not take upon himself the responsibility of such a change. He was in favour of every thing that

he could believe was a substantial reform, although against everything that was a mere change. At the present stage, however, he did not think the Government would feel justified in introducing a new bill this session, and as it was important that some improvement be made upon the old system, it might be better to carry out the present measure and leave the consideration of such a proposition as had now been made, to another session. He was satisfied it would be a most substantial tribunal, although he could not rid himself of the idea that the character of the bench might be injured by sitting simultaneously with the sitting of the legislature.⁶³ He thought there would be great danger of this evil, if the judges were brought down to sit at the same time as the House, to try those cases. It would be the means of bringing upon them grave imputations of being influenced by the members of the House.⁶⁴ The question might be considered whether they could not abolish this by some other machinery by which the questions could be disposed of more in the ordinary way, in the disposal of their ordinary duties, it would at all events overcome the chance of improper motives being imputed, which might result, if the Judges were brought down to hold their tribunal simultaneously with the sitting of the legislature.⁶⁵ With a view, however, to future reforms in this direction, he would suggest to his honourable friends the possibility of submitting controverted elections to the judges, sitting in the ordinary courts rather than in a special court.⁶⁶ He trusted the House would give their attention to the subject, as he was satisfied the more they examined it, they would see the necessity of some proper tribunal being established.--The present bill was substantially a British bill, although he had taken a good deal more trouble than might be at first apparent, to adapt it to our circumstances. He had endeavoured to spread out the whole law in the bill, to do away with the necessity of sessional orders as in England. He thought this would simplify the working of the bill very much.⁶⁷ For the present, he thought it his duty to proceed with the present bill.⁶⁸

MR. ROBINSON had always thought that some tribunal might be established in which the county judge and some persons on the spot might try such cases. He believed such a plan would be a great convenience to the country.⁶⁹

MR. MACDONALD replied [to Mr. Baldwin] that the constitution of a court, as he proposed, would probably insure judges of both sides in politics, but yet he believed that the law of elections was so simple that in a majority of cases the judges would not divide--that in the decision they would generally be unanimous.⁷⁰ Mr. Macdonald [remarked] that three judges from U.C. and three judges from L.C. would form the best tribunal.⁷¹

MR. AT. GEN. BALDWIN moved the adoption of the 1st clause of the Bill.⁷²

The rest of the clauses were read seriatim and passed without opposition.⁷³

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cartier reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again this day.

Ordered, That the Resolution of this House of yesterday, That it is expedient to make provision out of the Consolidated Revenue Fund of this Province, for remunerating such Circuit and County Court Judges as may be employed, according to law, in the execution of any Commission for the examination of Witnesses upon the trial of Parliamentary Election Petitions, be referred to the said Committee.

The Order of the day for the House again in Committee on the Bill to repeal the several Acts of the Parliaments in Lower and Upper Canada now in force for the trial of Controverted Parliamentary Elections in the two sections of the Province respectively, and to provide by one General Act for the trial of all Parliamentary Election Petitions, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cartier took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cartier reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

Montreal
Harbour Act
Amendment
Bill.

The Order of the day for the House in Committee on the Bill to alter and amend the Act 13 & 14 Vic. cap. 97, for improving and enlarging the Harbour of Montreal, being read;

The House accordingly resolved itself into the said Committee.

Mr. Lemieux took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lemieux reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Lemieux reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Penitentiary
Management
Bill.

The Order of the day for the House in Committee on the Bill for the better management of the Provincial Penitentiary, being read;

Ordered, That the Resolution of this House of yesterday, That it is expedient to make provision out of the Consolidated Revenue Fund of this Province, for remunerating such Officers as may be appointed, according to law, for the purpose of inspecting and managing the Provincial Penitentiary, be referred to the said Committee.

The House then resolved itself into the said Committee.

Mr. Boulton of Toronto took the Chair of the Committee;⁷⁴

MR. H. SHERWOOD raised objections to the clauses creating two inspectors, and giving them £400 each with travelling expenses. He believed the service might be better done by inspectors resident in Kingston who took an interest in the institution, and who would be willing to undertake the task. He concluded by expressing his belief, that notwithstanding the assertions of the Government, the creating of these inspectors was a mere job for the benefit of Messrs. Bristow and Brown.⁷⁵

COL. PRINCE and MR. H. BOULTON followed, condemning this clause.⁷⁶

COL. PRINCE said he did not know the Inspectors who would be appointed; and went on to show that the duties would be to inspect gaols generally. This would require their whole time; and the salary proposed to be paid them was not too high.⁷⁷

MR. ROBINSON after a few remarks moved the expunging of this clause.⁷⁸

MR. H. BOULTON (Norfolk,) considered the construction of a prison in such a manner as to admit the classification of prisoners as the basis of prison discipline--in addition, there should be a yard for the purpose of permitting [sic] the prisoners to take proper air and exercise and the cells should be put in a state to preserve their health. He could draw up a Bill in three or four hours that would be quite sufficient for all the objects he mentioned.⁷⁹

MR. J. SMITH (Durham,) said that if this ninth clause were expunged, the Bill was rendered null. Was that the intention of the Hon. member for Simcoe?⁸⁰

MR. ROBINSON's object was, to obtain the sense of the House concerning the appointment of their two Inspectors.⁸¹

Several gentlemen spoke against this clause.⁸²

MR. MACDONALD (Kingston) believed that very little attention could be paid to the highly responsible and delicate duties which now devolve on the Warden, if the inspectors, in addition to those duties, were compelled to travel from Gaspé to Sandwich in the capacity of Gaol Inspectors and Political speculators. It is absolutely necessary that the person or persons at the head of the Penitentiary should be constantly on the spot, to take immediate steps for the suppression of insurrection and to carry out the discipline of the Penitentiary; but how could that be done if the inspectors were at the distance of some hundred miles. Now, he asserted that these inspectors were not wanted and would be utterly useless.⁸³ The appointment of the officers in question would be interfering with the present effective and satisfactory system.⁸⁴ The Government was going from a good system to one that was worthless in the extreme,⁸⁵ at an expense that would not be less than £1,600 a year.⁸⁶ Whatever trifling reform they made at one end, was immediately added to the other.⁸⁷

MR. COM. CR. LANDS PRICE said the system had been found to work well in the State of New York, where the Inspectors were appointed annually. He repeated what had been already said that if this clause were struck out it would be the destruction of the Bill.⁸⁸

COL. PRINCE compared the proposal of Inspectors to a leash of hounds lost in the woods, and not knowing what in God's name they were to do. They were and would be but poorly qualified to perform the duties of General Gaol Inspectors, in comparison with intelligent local Grand Juries.⁸⁹ It was highly objectionable to create new offices for the inspection of gaols, while this duty could be so much better performed by the good sense of the Grand Juries and the civil magistracy. Could it be supposed that a brace of Inspectors, could know as much of the country as they⁹⁰? The object was to create patronage; and no Government ever had so much patronage before, but he would also do them the justice to say that no government before had exercised that patronage with so little regard to its own interests.⁹¹

MR. INSP. GEN. HINCKS said it was well known that a similar system of inspection existed in the neighbouring states.⁹² It was expected that the Inspectors would spend their whole time in performing these duties, and if that were the case it could not be said that the proposed salary⁹³ [of] £400 a year was too much. Some hon. gentlemen opposite seemed to be of opinion these offices were created for the late Inspectors⁹⁴ of the Penitentiary⁹⁵, Messrs. Bristow and Brown. They had other duties, and he was sure they would not accept of those offices.⁹⁶ Now, as to Mr. Brown--⁹⁷

COL. PRINCE in some further remarks, stated that he did not know Mr. Brown.⁹⁸

MR. INSP. GEN. HINCKS--Perhaps the gallant Colonel like some of the rest of

us has had too much reason to know him.⁹⁹

COL. PRINCE--I take the Globe--the whole Globe, for my example.¹⁰⁰

MR. INSP. GEN. HINCKS continued. It was absurd to suppose that the offices of Inspectors were created for these gentleman [sic]. They had higher views he could assure Hon. Gentlemen. He was willing to admit that the proposition was an experiment, but it was recommended by the Commissioners, (he felt convinced without any interested motive) who had discharged their duty with ability and fidelity. The more he reflected on it, the more he was convinced that it was sound economy to employ two officers, not under the influence of local feelings to perform the highly important duties mentioned in the Bill. In reply to a question put by Mr. Prince--he further stated they would visit the goals [sic] once a month.¹⁰¹

COL. PRINCE asked what persons were more competent than the wardens of the County Councils to perform the duties of Gaol Inspectors? and who could be more incompetent than a couple of strangers? He could not see the use of the appointments and objected altogether to paying a farthing to the persons who were to fill them. He must stigmatise it as a little bit of a job, intended to find patronage for somebody--he did not mean to say it was intended for the whole Globe, but he was strongly inclined to think that the Gentleman whose name the Inspector General had mentioned, would be done brown if the Bill did not pass.¹⁰² [OR] Mr. Prince said the object might be to give patronage to the whole Globe if it was very likely the Inspector General had found that Mr. George was done Brown.¹⁰³

MR. H. SMITH (Frontenac) said that instead of being an experiment that is still to be tested, every thing the Bill mentioned has been done for the last two years. The only thing that would be tested would be the possibility of throwing away £1600 a year. He conceived that the Inspector of gaols once a year would be exceedingly unpopular--the gaols would no doubt be put in the best position, but in what state will they be when the Inspectors are some hundred of miles away? Now he wished to put this question to the Commissioner of Crown Lands, would these Inspectors be disqualified from sitting in Parliament? He perceived by the Globe that Mr. George Brown is in a position antagonistic to the Ministry; if the Inspectors are disqualified from sitting in the House then it would be very easy to perceive that the Bill was devised for the purpose of getting rid of an opponent of the Inspector General.¹⁰⁴

MR. COM. CR. LANDS PRICE replied that it would be impossible for these officers to sit in the House, and perform in a proper manner the duties entrusted to their charge.¹⁰⁵

[The] discussion ... lasted nearly two hours¹⁰⁶.

The motion in amendment was put to the vote--yeas 20, nays 34.¹⁰⁷

MR. ROBINSON then moved in amendment, that the Inspectors should be three in number, and should be residents of Kingston.¹⁰⁸

This amendment was also lost, and the original motion carried.¹⁰⁹

An amendment subsequently proposed by MR. MACDONALD (Kingston,) to provide for sales of goods manufactured in the Penitentiary, by auction, instead of by private sale, was lost.¹¹⁰

MR. H. BOULTON suggested that the Inspectors should, in addition, have the inspection of the Provincial Penitentiary.¹¹¹

After some further discussion, the several clauses of the bill were adopted.¹¹²

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Davignon,
The House adjourned.

APPENDIX: 18 JULY 1851.

[QUESTION AND ANSWER RE: DEAF MUTES.]

MR. CAUCHON demanda s'il serait fait quelque chose pour les sourds-muets qui ne tombaient pas sous la loi générale et qui semblaient être abandonnés de la société.¹¹³

MR. AT. GEN. LAFONTAINE répondit que la question occupait l'attention du gouvernement et donna à entendre qu'il serait fait quelque chose pour eux.¹¹⁴

FOOTNOTES: 18 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: MONTREAL TRANSCRIPT, 19 July 1851, MORNING CHRONICLE, 19 July 1851, PILOT, 19 July 1851, BRITISH WHIG, 19 July 1851, JOURNAL DE QUEBEC, 19 July 1851, LA MINERVE, 22 July 1851; BRITISH COLONIST, 22 July 1851, and NORTH AMERICAN, 25 July 1851. The following papers reported the debate in partially identical accounts: GLOBE, 19, 22 July 1851, MONTREAL GAZETTE, 23, 25 July 1851, and PILOT, 24 July 1851. The debate was also reported by JOURNAL DE QUEBEC, 24 July 1851.
2. MONTREAL GAZETTE, 23 July 1851. BRITISH COLONIST, 22 July 1851, observed that Mr. Lafontaine "said some words, not one of which was audible to the Reporter."
3. BRITISH COLONIST, 22 July 1851.
4. MONTREAL GAZETTE, 23 July 1851.
5. BRITISH COLONIST, 22 July 1851.
6. MONTREAL GAZETTE, 23 July 1851.
7. BRITISH COLONIST, 22 July 1851.
8. MONTREAL GAZETTE, 23 July 1851.
9. BRITISH COLONIST, 22 July 1851.
10. MONTREAL GAZETTE, 23 July 1851.
11. BRITISH COLONIST, 22 July 1851.
12. MONTREAL GAZETTE, 23 July 1851.
13. BRITISH COLONIST, 22 July 1851.
14. MONTREAL GAZETTE, 23 July 1851.
15. BRITISH COLONIST, 22 July 1851.
16. MONTREAL GAZETTE, 23 July 1851.
17. IBID.
18. BRITISH COLONIST, 22 July 1851.
19. MONTREAL GAZETTE, 23 July 1851.
20. BRITISH COLONIST, 22 July 1851.
21. MONTREAL GAZETTE, 23 July 1851, which noted that "an exceeding violent and irrelevant [sic] discussion" followed. JOURNAL DE QUEBEC, 24 July 1851, commented that Mr. H. Sherwood "posa avec sa parole rude ordinaire des questions blessantes pour le Bas-Canada".
22. MONTREAL GAZETTE, 23 July 1851.
23. IBID.
24. JOURNAL DE QUEBEC, 24 July 1851.
25. IBID.
26. MONTREAL GAZETTE, 25 July 1851.
27. IBID.
28. JOURNAL DE QUEBEC, 24 July 1851.
29. MONTREAL GAZETTE, 25 July 1851.
30. BRITISH COLONIST, 22 July 1851.
31. IBID.
32. MONTREAL GAZETTE, 25 July 1851.
33. BRITISH COLONIST, 22 July 1851.
34. IBID.
35. IBID.
36. MONTREAL GAZETTE, 25 July 1851.
37. The following papers reported the debate on this matter in identical accounts: GLOBE, 22 July 1851, and MONTREAL GAZETTE, 25 July 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 22 July 1851, EXAMINER, 23 July 1851, and NORTH AMERICAN, 25 July 1851.
38. BRITISH COLONIST, 22 July 1851.

39. IBID.
40. MONTREAL GAZETTE, 25 July 1851.
41. IBID.
42. IBID.
43. BRITISH COLONIST, 22 July 1851.
44. MONTREAL GAZETTE, 25 July 1851.
45. BRITISH COLONIST, 22 July 1851.
46. MONTREAL GAZETTE, 25 July 1851.
47. BRITISH COLONIST, 22 July 1851.
48. IBID.
49. MONTREAL GAZETTE, 25 July 1851.
50. EXAMINER, 23 July 1851.
51. BRITISH COLONIST, 22 July 1851.
52. EXAMINER, 23 July 1851.
53. MONTREAL GAZETTE, 25 July 1851.
54. IBID.
55. The following papers reported the debate on this matter in identical accounts:
GLOBE, 22 July 1851, MONTREAL GAZETTE, 25 July 1851; BRITISH COLONIST, 22 July
1851, and NORTH AMERICAN, 25 July 1851.
56. BRITISH COLONIST, 22 July 1851.
57. MONTREAL GAZETTE, 25 July 1851.
58. BRITISH COLONIST, 22 July 1851.
59. MONTREAL GAZETTE, 25 July 1851.
60. BRITISH COLONIST, 22 July 1851.
61. MONTREAL GAZETTE, 25 July 1851.
62. BRITISH COLONIST, 22 July 1851.
63. MONTREAL GAZETTE, 25 July 1851.
64. BRITISH COLONIST, 22 July 1851.
65. MONTREAL GAZETTE, 25 July 1851.
66. BRITISH COLONIST, 22 July 1851.
67. MONTREAL GAZETTE, 25 July 1851.
68. BRITISH COLONIST, 22 July 1851.
69. MONTREAL GAZETTE, 25 July 1851.
70. BRITISH COLONIST, 22 July 1851.
71. MONTREAL GAZETTE, 25 July 1851.
72. IBID.
73. IBID.
74. The flolowing papers reported the debate on this matter in identical accounts:
GLOBE, 22 July 1851, MONTREAL GAZETTE, 25 July 1851; BRITISH COLONIST, 22 July
1851, and NORTH AMERICAN, 25 July 1851. The debate was also reported by
EXAMINER, 23 July 1851.
75. BRITISH COLONIST, 22 July 1851.
76. IBID.
77. IBID.
78. IBID.
79. MONTREAL GAZETTE, 25 July 1851.
80. IBID.
81. IBID.
82. BRITISH COLONIST, 22 July 1851.
83. MONTREAL GAZETTE, 25 July 1851.
84. BRITISH COLONIST, 22 July 1851.
85. MONTREAL GAZETTE, 25 July 1851.
86. BRITISH COLONIST, 22 July 1851.
87. MONTREAL GAZETTE, 25 July 1851.
88. IBID.
89. IBID.

90. BRITISH COLONIST, 22 July 1851.
91. EXAMINER, 23 July 1851.
92. IBID.
93. MONTREAL GAZETTE, 25 July 1851.
94. EXAMINER, 23 July 1851.
95. MONTREAL GAZETTE, 25 July 1851.
96. BRITISH COLONIST, 22 July 1851.
97. MONTREAL GAZETTE, 25 July 1851.
98. BRITISH COLONIST, 22 July 1851.
99. MONTREAL GAZETTE, 25 July 1851.
100. IBID.
101. IBID.
102. IBID.
103. EXAMINER, 23 July 1851.
104. MONTREAL GAZETTE, 25 July 1851.
105. IBID.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. EXAMINER, 23 July 1851.
112. IBID.
113. JOURNAL DE QUEBEC, 24 July 1851.
114. IBID.

SATURDAY, 19 JULY 1851.

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Petitions
brought up.

THE following Petitions were severally brought up,
and laid on the table:--

By the Honorable Mr. Badgley,--The Petition of
Clarke Gamble, of the City of Toronto, Esquire; and the Petition of the Niagara
Harbour and Dock Company.

By Mr. McFarland,--The Petition of Donald Cameron, of Thorah.

By Mr. Morrison,--The Petition of the Municipal Council of the Town of
Guelph.

By Mr. Laurin,--The Petition of William Wilson, of the City of Quebec, Esquire.

Petitions read.

Pursuant to the Order of the day, the following
Petitions were read:--

Of Roderick Ross, on behalf of the Building Committee of the County of Carleton
General Protestant Hospital; praying aid in behalf thereof.

Of Charles Dion, President, and others, officers of the Association of
Teachers of the District of Quebec; praying that the Bill to amend and explain
the School Acts in force in Lower Canada, may not pass into Law.

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Of Louis C. Lefrançois, Esquire, and others, School Commissioners for the
Parish and Municipality of Château Richer, County of Montmorency; praying aid
to enable them to erect a School House in Division Number One of the said
Municipality.

Of the Municipality of the United Townships of Moulton and Sherbrooke;
praying that the Act 13 & 14 Vic. cap. 72, may not be repealed, but that
should its repeal be deemed advisable, the rights acquired for the Brantford
and Buffalo Joint Stock Railroad Company may be preserved inviolate.

Of the Municipality of the Township of York; praying that the prayer of
the Petition of certain Inhabitants of the said Township, for an extension of
the jurisdiction of Justices of the Peace in the collection of small debts,
may be granted.

Of the Reverend R. Rogers, President, and others, on behalf of the Kingston
Sabbath Reformation Society; of J.F. Charles and others, of Wolfe Island; and of
William Phippen and others, of the Village of Portsmouth; praying for the
adoption of measures to abolish all labor on the Lord's Day in the Postal Depart-
ment of the Public Service.

Public Business.

Mr. Scott of Bytown moved, seconded by the Honorable

Mr. Merritt, and the Question being put, That the second
reading of Private Bills taken up on Wednesdays, be proceeded with this day in
the order in which they stood on Wednesday last; and that the Orders of the day
take precedence of the Notices of Motions; the House divided: and the names being
called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bell, Boulton of NORFOLK, Bouthillier, Burritt, Christie,
Dickson, Flint, Holmes, Attorney General LaFontaine, Letellier, Macdonald of
KINGSTON, Sir Allan N. MacNab, McConnell, McLean, Merritt, Morrison, Price,
Robinson, Sauvageau, Scott of BYTOWN, Sherwood of TORONTO, Smith of DURHAM,
Smith of WENTWORTH, Stevenson, and Viger.--(26.)

NAYS.

Messieurs Armstrong, Cartier, Cauchon, Chabot, Chauveau, Crysler, Davignon,
Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Jobin, Lacoste, LaTerriere,

Laurin, Lemieux, Lyon, Malloch, McFarland, Méthot, Meyers, Mongenais, Nelson, and Prince.--(26.)

And the Votes being equally divided; Mr. Speaker gave his casting Vote in the Affirmative.

Toronto School of Medicine Bill.

The Order of the day for the second reading of the Bill to incorporate the Toronto School of Medicine, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Bill to enable C.R. Wilkes to convey certain Real Estate.

The Order of the day for the second reading of the Bill to enable Caira Robbins Wilkes, the wife of George Samuel Wilkes, of Brantford, Esquire, to convey by herself certain Real Estate devised to her by her late father, being read;

Ordered, That the Bill be read a second time on Monday next.

Port Hope Harbour and Wharf Company Bill.

The Order of the day for the second reading of the Bill to increase the Capital Stock of the Port Hope Harbour and Wharf Company, being read;

Ordered, That the Bill be read a second time on Wednesday next.

Bill relating to Brock's Monument.

The Order of the day for the second reading of the Bill to exempt from personal liability those who may undertake the duty of superintending the erection of

Brock's Monument, being read;

Ordered, That the Bill be read a second time on Wednesday next.

Port Burwell Harbour Company Bill.

The Order of the day for the second reading of the Bill to amend the Act incorporating the Port Burwell Harbour Company, being read:

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Bell, Mr. Notman, Mr. Richards, Mr. Flint, and the Honorable Mr. Hincks, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Medical Profession Bill (U.C.)

The Order of the day for the second reading of the Bill to incorporate the Medical Profession in Upper Canada, being read;

The Honorable Mr. Macdonald moved, seconded by Mr. Nelson, and the Question being proposed, That the Bill be now read a second time;¹

MR. FLINT opposed the bill. One of the clauses provided that persons who infringed the law might be brought before a single magistrate and punished. Now, he was in favour of trial by jury, and would strenuously resist the attempt to give the power of trial to a single magistrate, merely because the law was so obnoxious that it was thought impossible to get any twelve men to convict under it. The true principle was that each man should be at liberty to select for his medical adviser the man in whom he himself had confidence.²

MR. MACDONALD begged the hon. member to allow the bill to be read a second time, promising to allow the obnoxious clause to be struck out in committee.³

MR. FLINT assented.⁴

MR. RICHARDS also objected to the centralization of the power of controlling the whole profession in the hands of a few men residing in Toronto. This he thought would be the effect of the bill. He read some clauses from the bill to show the correctness of his views, and made some other objections to the machinery of the measure. Besides this it was altogether a mistake to suppose that incorporating the Medical Profession would prevent quackery. He moved the second reading that day six months.⁵

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Mr. Richards moved in amendment to the Question, seconded by Mr. Smith of Durham, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. H. BOULTON supported the bill. At present the Board of Examiners was appointed by the Governor General, whereas the present bill provided for the Board being chosen in the most convenient way throughout the country. He objected, however, to the penal clause directed against unlicensed practitioners [*sic*], as a provision ... entirely opposed to public opinion. He proposed also, to allow professional men in the outer districts to choose gentlemen residing in Toronto, for the Board of Examiners, in order to prevent the necessity of the profession coming from a great distance, at personal inconveniences.⁶

MR. J. SMITH, of Durham, opposed the bill. He wished to leave the people to be their own judges as to whether they should employ one description of doctors or another.⁷ [He contended] that one medical science had no certainty whatever, about it. The bill would do nothing but create a monopoly for the benefit of a few gentlemen in Toronto.⁸

MR. H. SHERWOOD supported the bill; it was trifling with human life to allow uneducated and unqualified persons to practice medicine.⁹

MR. ROBINSON ... supported the bill.¹⁰

DR. NELSON supported the bill. At first there was a good deal of opposition to the incorporation of the medical profession in Lower Canada; but it had been found to work well. It would be a dishonor to the Legislature to say that there should be no law to protect human life.¹¹

MR. SOL. GEN. MACDONALD looked on the bill as altogether unnecessary. It was a new attempt to dose the people by Act of Parliament, and was asked for, not by the people as a remedy for grievances, but by the doctors for their own benefit. He took upon himself to say that before any constituency in Upper Canada, this bill would be condemned by nine-tenths of the people¹² if they were asked¹³.

MR. MACDONALD, of Kingston, said, the Solicitor General West, to be consistent, should introduce a bill to legalize murder.¹⁴ [He] argued, that the only intention of the bill was to give the members of the medical profession an opportunity to make general rules for their own guidance without interference with others. He paid a high compliment to the extent and accuracy of the studies of the medical profession, and contended that the difference between their experiments and those of uneducated men, was, that the first were qualified to judge what experiments were likely to be useful and what likely to prove useless. He instanced a prescription [*sic*] of his own, of a wet cloth for lumbago, and said his patient was cured of lumbago, but nearly killed by congestion of the brain. (Laughter.)¹⁵

MR. CAUCHON said the law ought not to be made too stringent, otherwise it would produce precisely the contrary effect to that intended. He was in favor of incorporation, but he desired to have some clauses amended.¹⁶

MR. SANBORN said the law in Lower Canada was too stringent, and this was just like it. The penalty was too stringent. If people are generally opposed to this bill--why pass it? The law that now exists was sufficient for the protection of the public. People would employ whom they pleased, law or no law.¹⁷

MR. MACKENZIE spoke at some length against the bill.¹⁸ [He] said there were 19 members last session who voted that those who studied at the University should have advantages over those who studied elsewhere. The question of medicine was eminently progressive. A hundred years ago the most barbarous practice prevailed. He then referred to the example of Dr. Sangrado, in Gil Blas, whose system consisted of bloodletting and copious draughts of warm water, by which he killed patients every day, and realized an immense fortune. Was the object of this bill to crush all medical schools already incorporated? The object last year was to destroy Dr. Rolph's school; and this year two gentlemen connected with it had been placed on the Board of Examiners. Having read the names of the division, he said, if his name were added to those who tried to destroy Dr. Rolph's school, he should be more ashamed of it than anything he had done. There were many quacks among those who wished to obtain a monopoly of medical education and practice. There were many instances of persons being cured by Thompsonians and the Water Cure system, after they had been given up by the regular physician; among which he cited the case of Sir E.L. Bulwer.¹⁹

DR. BOUTHILLIER dit qu'il avait pris des notes pour faire quelques observations sur ce bill, mais en réfléchissant qu'il avait à s'adresser à des hommes qui pouvaient dire, que "la religion et la médecine doivent être mises sur le même pied; que la médecine n'était pas une science, que le Latin était un langage barbare," il croit qu'il est plus sage de s'écrier dans ce langage si barbare, "o tempora! o mores!" et se taire.²⁰

MR. MORRISON spoke in opposition to the bill. It disqualified medical men educated at European Universities, unless these Universities would recognise this Board. He said he would never sanction such a proposal as this.²¹

MR. W. BOULTON supported the bill.²² [He] asserted that the object of the bill was not to punish quacks, but to prevent their punishment. He stated that in the United States deaths were continually occurring from the ignorance of quack practitioners.²³ It was absurd that a man educated as a Surgeon in Europe, should be allowed to practice medicine here.²⁴

MR. HOLMES had no objection to the incorporation of the profession.²⁵ He thought there might be some way of enabling people to know who were properly educated and who were not, without punishing unlicensed practitioners, as the bill provided. He instanced the cure of Mr. Perry as a proof of the valuable services rendered by those called quacks, and stated that if the tenth clause²⁶, the penalty clause²⁷, were struck out he should support the bill.²⁸

DR. LATERRIERE spoke in favor of the bill.²⁹

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Burritt, Flint, Hincks, Holmes, Hopkins, Johnson, Mackenzie,

McConnell, Merritt, Mongenais, Morrison, Price, Richards, Sanborn, Scott of BYTOWN, Smith of DURHAM, and Stevenson.--(18.)

NAYS.

Messieurs Armstrong, Badgley, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chabot, Christie, Davignon, Dickson, Duchesnay, Fournier, Fourquin, Guillet, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McLean, Méthot, Nelson, Polette, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Taché, Viger, and Wilson.--(34.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chabot, Christie, Davignon, Dickson, Duchesnay, Fournier, Fourquin, Guillet, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McLean, Méthot, Nelson, Polette, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Taché, Viger, and Wilson.--(34.)

NAYS.

Messieurs Bell, Burritt, Flint, Hincks, Holmes, Hopkins, Johnson, Mackenzie, McConnell, Merritt, Mongenais, Morrison, Price, Richards, Sanborn, Scott of BYTOWN, Smith of DURHAM, and Stevenson.--(18.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time.

MR. MACDONALD moved that the bill be referred to a Select Committee on Friday next.... [Motion] carried.³⁰

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and referred to the Standing Committee on Miscellaneous Private Bills.

Quebec Bank
Bill.

The Order of the day for the second reading of the Bill to reduce the number of Directors of the Quebec Bank, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time on Monday next.

Bytown and
Prescott
Railway
Bill.

The Order of the day for the second reading of the Bill to amend the Act incorporating the Bytown and Prescott Railway Company, being read;³¹

MR. BURRITT moved the second reading of the bill to amend the act of incorporation of the Bytown and Prescott Railway³².

[This] was opposed by MR. LYON, on the ground that unwarrantable powers were required by the Company.³³

Motion carried.³⁴

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The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads and Telegraph Lines.

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Quebec Music Hall
Association Bill.

*The Order of the day for the second reading
of the Bill to incorporate the Quebec Music Hall
Association, being read;*

*The Bill was accordingly read a second time; and referred to the Standing
Committee on Miscellaneous Private Bills.*

Waterous Civil
and Political
Rights Bill

*The Order of the day for the second reading
of the Bill to confer upon Charles Horatio Waterous
the Civil and Political Rights of a natural born
British Subject, being read;*

*The Bill was accordingly read a second time; and referred to the Standing
Committee on Miscellaneous Private Bills.*

Wesleyan
Benevolent
Societies Bill.

*The Order of the day for the second reading of
the Bill to incorporate the Benevolent Societies
of the Wesleyan Methodist Church in Canada, being
read;³⁵*

MR. FLINT moved the second reading of the bill to incorporate Benevolent Societies of the Wesleyan Methodist Church in Canada.³⁶

MR. MACKENZIE spoke against the bill in its present form, and was in favour of some amendment.³⁷

MR. INSP. GEN. HINCKS would support the bill as it stood.³⁸

MR. FLINT spoke in explanation of the objections raised by Mr. Mackenzie, and offered to submit them to the Methodist authorities here, and to change them if they thought it necessary; but if they did not think it necessary, he would try to carry the bill through as it now stood.³⁹

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*The Bill was accordingly read a second time; and referred to the Standing
Committee on Miscellaneous Private Bills.*

Twynam's
Attorney Bill.

*The Order of the day for the second reading
of the Bill to authorize the Courts of Queen's
Bench, Common Pleas, and of Chancery, in the
Province of Canada, to admit William Edwin Twynam as an Attorney and
Solicitor therein, being read;⁴⁰*

MR. BADGLEY moved the second reading of the bill to permit W.E. Twynam to practise law. The Hon. Gentleman explained that Barristers landing in New Brunswick from other parts of the Empire were permitted to practise after studying for one year in that Province.⁴¹

MR. SOL. GEN. MACDONALD and MR. SOL. GEN. DRUMMOND ... [explained] that they had opposed the other Bills of a similar nature, introduced this Session, because a Canadian lawyer, on arriving in Britain could not obtain leave to practise; but a reciprocity did exist between New Brunswick and other parts of the Empire.⁴²

MR. SOL. GEN. MACDONALD opposed the bill. He did not think it right that gentlemen should be allowed to come from Newfoundland and practice in our courts, and enjoy the same privileges as Candians. This was a kind of reciprocity he did not like.⁴³

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*The Bill was accordingly read a second time; and referred to the Standing
Committee on Miscellaneous Private Bills.*

Bill relating to
the Municipality
of Drummond.

Township of Kingsey, to the Village of Stanfold in the said Municipality, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Montreal and Vermont
Railway Bill.

The Order of the day for the second reading of the Bill to amend and extend the Act incorporating the Montreal and Vermont Junction Railway Company,

being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads and Telegraph Lines.

Hamilton Dry
Dock Bill.

The Order of the day for the second reading of the Bill to revive the Charter of the Hamilton Dry Dock Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Cramahe and
Murray new
Township Bill.

The Order of the day for the second reading of the Bill to form a new Township out of parts of the Townships of Cramahe and Murray in the County of Northumberland, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Normal School,
and Inspectors
of Common Schools
(L.C.)

Mr. Scott of Bytown, from the Committee to take into consideration the expediency of providing for the support and maintenance of a Normal School in Lower Canada, and for the payment of Salaries of certain Inspectors of the Common Schools in Lower

Canada, reported a Resolution, which was read, as followeth:--

Resolved, That provision should be made out of the unexpended or unclaimed balance of the Common School Fund, and in case there be no such balance, or that it prove insufficient, out of the Jesuits' Estate Fund wholly or in part, for the support and maintenance of a Normal School in Lower Canada, and also for the payment of Salaries and expenses of certain Inspectors of the Common Schools in that Section of the Province.

The said Resolution, being read a second time, was agreed to.

Normal School
Bill, (L.C.)

Ordered, That the Honorable Mr. Attorney General LaFontaine have leave to bring in a Bill to provide for the establishment of a Normal School, and further to promote Education in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Municipalities
Bill (L.C.)

The Order of the day for the second reading of the Bill, intituled, The Lower Canada Municipalities Act, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Road Bill
(L.C.)

The Order of the day for the second reading of the Bill, intituled, The Lower Canada Road Act, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Bill relating
to Commissions
for taking
Evidence.

The Order of the day for the second reading of the Bill to facilitate the issue of Commissions for the examination of Witnesses and the taking of evidence in Suits at Law pending and to be brought in the several Courts of Record in Upper Canada, being read;

Ordered, That the Bill be read a second time on Monday next.

Medical Profession
(L.C.) Bill.

The Order of the day for the second reading of the Bill to amend the "Act incorporating the "Members of the Medical Profession in Lower Canada, and to regulate the study and practice of Physic and Surgery therein," to afford relief to certain persons who were in practice as Physicians and Surgeons in this Province at the time when the said Act became Law, being read;

Ordered, That the Bill be read a second time on Monday next.

Orders of
the day.

Mr. Richards moved, seconded by Mr. Smith of Durham, and the Question being put, That the remaining Orders of the day be postponed until Monday next; the House divided:--

And it passed in the Negative.

Bankrupts
Relief Bill.

The Order of the day for the second reading of the Bill to provide for the relief of Bankrupts and the administration of their Estates, being read;

Ordered, That the Bill be read a second time on Monday the twenty-eighth instant.

Toronto
University Bill.

The Order of the day for the second reading of the Bill to amend the Charter of the University of Toronto, being read;

Ordered, That the Bill be read a second time on Wednesday next.

Cruelty to
Animals Bill.

The Order of the day for the House in Committee on the Bill for the prevention of Cruelty to Animals, being read;

The House accordingly resolved itself into the said Committee.

Mr. Wilson took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair.

Lessors and
Lessees Bill,
(L.C.)

The Order of the day for the second reading of the Bill to amend the Act to regulate the exercise of

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certain rights of Lessors and Lessees in Lower Canada,

being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Lemieux, the Honorable Mr. Badgley, the Honorable Mr. Chabot, Mr. Polette, and Mr. Dumas to report thereon with all convenient speed.

Lessors Rights
Bill (L.C.)

The Order of the day for the second reading of the Bill for the more summary and effectual exercise of the

rights of Lessors in certain cases in Lower Canada, being read;

The Bill was accordingly read a second time; and referred to the Select Committee to which was referred the Bill to amend the Act to regulate the exercise of certain rights of Lessors and Lessees in Lower Canada.

Ordered, That it be an Instruction to the Committee to consolidate the said Bills, if they see fit.

Ordered, That Mr. Laurin, and Mr. Cartier, be added to the Committee.

St. Louis de
Lotbinière
Parish Regis-
ters Bill.

The Order of the day for the second reading of the Bill to remedy as far as possible the inconvenience which might otherwise arise from the destruction of the Registers of the Parish of St. Louis de Lotbinière, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Orders
deferred.

Ordered, That such Orders of the day as are undisposed of at the adjournment of the House, this day, be postponed until Monday next.

Sault Ste.
Marie Canal Bill.

The Order of the day for the House in Committee on the Bill to incorporate the Sault Ste. Marie Canal Company, being read;

The House accordingly resolved itself into the said Committee.

Mr. Méthot took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Méthot reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be engrossed, and read the third time on Monday next.

Debtors
Effects Attach-
ment Bill
(L.C.)

The Order of the day for the House in Committee on the Bill to enable Creditors to attach the effects of Debtors about to leave this Province in cases under Ten pounds, being read;

The House accordingly resolved itself into the said Committee.

Mr. Sherwood of Brockville took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sherwood of Brockville reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Sherwood of Brockville reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Manufacturing
Joint Stock
Companies
Bill.

The Order of the day for the second reading of the Bill to amend the Act to provide for the formation of Joint Stock Companies for Manufacturing and other purposes, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Lacoste, Mr. Holmes, the Honorable

Mr. Robinson, Mr. Armstrong, and Mr. Sauvageau, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Game Acts
Amendment
Bill (L.C.)

The Order of the day for the second reading of the Bill to amend the Acts for the protection of Game and Wild Fowl therein mentioned, as regards Lower Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Lemieux, Mr. Fournier, Mr. Armstrong, Mr. Polette, and the Honorable Mr. Chabot, to report thereon with all convenient speed.

Pawnbrokers
Bill.

The Order of the day for the second reading of the Bill for the regulation of Pawnbrokers and Pawnbroking, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Bill relating to
Meetings of
Relations and
Friends.

The Order of the day for the House in Committee on the Bill to allow Notaries to call meetings of relations and friends in certain cases without being thereto specially authorized by a Judge, and for other purposes, being read;

The House accordingly resolved itself into the said Committee.

Mr. Flint took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Flint reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

Building
Societies Bill
(L.C.)

The Order of the day for the second reading of the Bill to amend an Act to encourage the establishment of Building Societies in Lower Canada, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time on Monday next.

Mutual Fire
Insurance
Company Bill.

The Order of the day for the House in Committee on the Bill to authorize the establishment of a second Mutual Fire Insurance Company for the Country parts of Counties in Lower Canada in which there are large Cities

or Towns, being read;

The House accordingly resolved itself into the said Committee.

Mr. Crysler took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Crysler reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time on Monday next.

Bill relating
to Real Property
illegally
detained.

The Order of the day for the House in Committee on the Bill to provide a more summary and less expensive process for proprietors of real property in Lower Canada to acquire the possession thereof when illegally detained from them in certain cases, being read;

The House accordingly resolved itself into the said Committee.

Mr. Armstrong took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Armstrong reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time on Monday next.

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Apprentices
and Minors
Bill.

The Order of the day for the House in Committee on the Bill to amend the Law relating to Apprentices and Minors, being read;

The House accordingly resolved itself into the said Committee.

Mr. Polette took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Polette reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time on Monday next.

Bill relating to
Land Patents.

The Order of the day for the House in Committee on the Bill relating to Land Patents whereby any waste or other Lands of the Crown in Lower Canada are granted, and to dispense with certain formalities therewith connected occasioning unnecessary delay and expense, being read;

The House accordingly resolved itself into the said Committee.

Mr. Bouthillier took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Bouthillier reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Bouthillier reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Petit Jurors
Payment Bill,
(U.C.).

The Order of the day for the House in Committee on the Bill to provide for the payment of Petit Jurors in Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Stevenson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Stevenson reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

Canada
Guarantee
Company Bill.

The Order of the day for the House in Committee on the Bill to incorporate the Canada Guarantee Company, being read;

The House accordingly resolved itself into the said Committee.

Mr. Malloch took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Malloch reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time on Monday next.

Hunting and
Game Bill.

The Order of the day for the second reading of the Bill for the regulation of Hunting and the Preservation of Game, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Taché, Mr. Letellier, Mr. Fournier, Mr. Duchesnay, and Mr. Chris'ie, to report thereon with all convenient speed.

Gould & Sons'
Naturalization
Bill.

The Order of the day for the House in Committee on the Bill to naturalize Ira Gould and others, and for other purposes, being read;

The House accordingly resolved itself into the said Committee.

Mr. McFarland took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. McFarland reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time on Monday next.

And it being Five o'clock, Mr. Speaker adjourned the House till Monday next, without putting the Question.

FOOTNOTES: 19 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, NORTH AMERICAN, 25 July 1851, MONTREAL GAZETTE, 25 July 1851, and PILOT, 26 July 1851. The following papers reported the debate in partially identical accounts: GLOBE, 22 July 1851, EXAMINER, 23 July 1851, BRITISH WHIG, 29 July 1851, OTTAWA CITIZEN, 2 August 1851, and LA MINERVE, 31 July 1851, which misdated the debate as 27 July 1851. The debate was also noted by GLOBE, 22 July 1851, in a second account.
2. BRITISH COLONIST, 22 July 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. BRITISH WHIG, 29 July 1851.
8. BRITISH COLONIST, 22 July 1851.
9. BRITISH WHIG, 29 July 1851.
10. BRITISH COLONIST, 22 July 1851.
11. BRITISH WHIG, 29 July 1851.
12. BRITISH COLONIST, 22 July 1851.
13. BRITISH WHIG, 29 July 1851.
14. IBID.
15. BRITISH COLONIST, 22 July 1851.
16. BRITISH WHIG, 29 July 1851.
17. IBID.
18. BRITISH COLONIST, 22 July 1851.
19. BRITISH WHIG, 29 July 1851.
20. LA MINERVE, 31 July 1851.
21. BRITISH WHIG, 29 July 1851.
22. IBID.
23. BRITISH COLONIST, 22 July 1851.
24. BRITISH WHIG, 29 July 1851.
25. IBID.
26. BRITISH COLONIST, 22 July 1851.
27. BRITISH WHIG, 29 July 1851.
28. BRITISH COLONIST, 22 July 1851.
29. BRITISH WHIG, 29 July 1851.
30. BRITISH COLONIST, 22 July 1851.
31. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, NORTH AMERICAN, 25 July 1851, MONTREAL GAZETTE, 25 July 1851, and PILOT, 26 July 1851.
32. BRITISH COLONIST, 22 July 1851.
33. IBID.
34. IBID.
35. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, NORTH AMERICAN, 25 July 1851, MONTREAL GAZETTE, 25 July 1851, and PILOT, 26 July 1851.
36. BRITISH COLONIST, 22 July 1851.
37. IBID.
38. IBID.
39. IBID.
40. The following papers reported the debate on this matter in identical

accounts: BRITISH COLONIST, 22 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, NORTH AMERICAN, 25 July 1851, MONTREAL GAZETTE, 25 July 1851, and PILOT, 26 July 1851. The debate was also reported by GLOBE, 22 July 1851.

41. GLOBE, 22 July 1851.

42. IBID.

43. BRITISH COLONIST, 22 July 1851.

MONDAY, 21 JULY 1851.

(176)

Petitions read.

PURSUANT to the Order of the day, the following Petitions were read:--

Of W.S. Burnham and others, members of the Order of the Sons of Temperance; praying that the Bill to incorporate the said Order may pass into Law.

Of N.F. Belleau, Esquire, and others, of the Parish of St. Ambroise, Jeune Lorette, County of Quebec, and of the City of Quebec; praying aid to macadamize the Route St. Jacques, commonly called Route de la Misère.

Of Clarke Gamble, of the City of Toronto, Esquire; praying for the passing of an Act authorizing him to sell and convey his interest in certain property conveyed to him by the Niagara Harbour and Dock Company.

Of the Niagara Harbour and Dock Company; praying for the passing of an Act authorizing them to sell their interest in the property belonging to them.

Of Donald Cameron, of Thorah; praying for the adoption of certain measures to obtain for him and his followers, or settlers, the issue of Deeds of Lands for which they have received Location Tickets.

Of the Municipal Council of the Town of Guelph; praying for the passing of a Bill to amend the Act incorporating the Toronto and Goderich Railway Company, and to continue the same as amended under the name of "The Toronto and Guelph Western Extension Railway Company."

Of William Wilson, of the City of Quebec, Esquire; praying for the adoption of such measures as may obtain for him the restoration of certain public property in the said City of which he claims to be the legal proprietor.

MR. MACKENZIE¹ moved to refer to a select committee so much of the petition of Martin McKinnon as related to his claim to Clergy Reserve Lot 19, 9th concession of the Township of Vaughan.²

MR. NOTMAN seconded the motion, on the ground that the case of the petitioner was similar to many, in which industrious men had experienced great injustice and hardship in connection with location on Clergy Reserves. On all occasions, inquiry had been refused, notwithstanding the most serious accusations against the rectors involved. He called upon the Government to permit an investigation into facts concerning which the country had hitherto been kept in profound ignorance.³

MR. COM. CR. LANDS PRICE opposed the motion, and entered into a statement which has already been made once this session. The purport was, that the petitioner should seek redress at the hands of the rector, if he experienced hardship at his hands.⁴

MR. W. BOULTON also opposed the motion⁵.

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Petition of
M. McKinnon.

Mr. Mackenzie moved, seconded by Mr. Notman, and the Question being put, That so much of the Petition of Martin McKinnon, of the Township of Vaughan, as prays for justice with respect to his title to Lot 19, ninth concession of Vaughan, now demanded as a Rectory, or for an indemnity if his property cannot be secured to him, be referred to a Select Committee of five Members, composed of Mr. Notman, Mr. Smith of Wentworth, the Honorable Mr. Price, Mr. Smith of Durham, and the mover, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records; the House divided:--And it passed in the Negative.

First Report of
Committee on
Railroads &c.

Sir Allan N. MacNab, from the Standing Committee on Railroads and Telegraph Lines, presented to the House the First Report of the said Committee; which was read.

Appendix (U.U.)

For the said Report, see Appendix (U.U.)

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Ordered, That the said Report be printed for the use of the Members of this House.

Ninth Report of
Committee on
Private Bills.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Ninth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Burlington Ladies Academy," and have made an amendment thereto, which they beg to submit for the consideration of Your Honorable House.

Your Committee have also made certain amendments to the Bill to incorporate "The Canada West Farmers Mutual and Stock Insurance Company," and to the Bill to amend the Sydenham Mountain Road Act, and to vest in George Rolph, Esquire, his heirs and assigns, certain privileges therewith connected, which amendments they beg leave to recommend for the adoption of Your Honorable House.

They have also examined the following Bills, and have agreed to report the same respectively, without amendment; viz:--

Bill to close up part of Ottawa Street in the Village of Cayuga.

Bill to authorize the Courts of Queen's Bench, Common Pleas, and of Chancery, in the Province of Canada, to admit William Edwin Twynam to practise as an Attorney and Solicitor therein.

Bill to amend the Act, intituled, "An Act to incorporate the City of Kingston Water Works Company."

Bill to confer upon Charles Horatio Waterous the Civil and Political Rights of a natural born British Subject.

Sydenham Mountain Road Act
Amendment Bill.

Ordered, That the Bill to amend the Sydenham Mountain Road Act, and to vest in George Rolph, Esquire, his heirs and assigns, certain privileges therewith connected, as reported from the Standing Committee

on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Wednesday next.

Waterous Civil
and Political
Rights Bill.

Ordered, That the Bill to confer upon Charles Horatio Waterous the Civil and Political Rights of a natural born British Subject, be engrossed, and read the third time to-morrow.

Twynam's
Attorney Bill.

Ordered, That the Bill to authorize the Courts of Queen's Bench, Common Pleas, and of Chancery, in the Province of Canada, to admit William Edwin Twynam to

practise as an Attorney and Solicitor therein, be engrossed, and read the third time to-morrow.

Kingston Water
Works Act Amend-
ment Bill.

Ordered, That the Bill to amend the Act, intituled, "An Act to incorporate the City of Kingston Water Works Company," be engrossed, and read the third time to-morrow.

Canada West
Farmer's Mutual
and Stock In-
surance Bill.

Ordered, That the Bill to incorporate "The Canada West Farmers Mutual and Stock Insurance Company," as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for to-morrow.

Bill relating to
Ottawa Street
in Cayuga.

Ordered, That the Bill to close up part of Ottawa Street in the Village of Cayuga, be engrossed, and read the third time to-morrow.

Burlington Ladies
Academy Bill.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Burlington Ladies Academy," as reported from the

Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for to-morrow.

Two Bills
relating to
Imprisonment
for debt (U.C.).

The Honorable Mr. Boulton reported from the Select Committee on the Bill for abolishing imprisonment for Debt in Upper Canada, and on the Bill to abolish imprisonment for Debt except in cases of fraud, and to render the remedy by Writs of Execution in Upper Can-

ada more effectual, That the Committee had gone through both the Bills, and made amendments unto each of them.

Ordered, That the Bills, as amended, be printed for the use of the Members of this House.

Debtors.

Ordered, That the Return relative to Debtors confined in Prison and on Bail in Civil Cases on Gaol limits in Upper Canada, which was presented on Tuesday the eighth July instant, be referred to the said Committee.

Montreal
Corporation
Bill.

Mr. Cartier reported from the Select Committee on the Bill to amend and consolidate the provisions of the Ordinance to incorporate the City and Town of Mon-

treal, and of a certain Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Game Acts
(L.C.).

Ordered, That the Petition of C.A. Cuthbert and others, of the Parishes of Berthier and Sorel, be referred to the Select Committee to which was referred the

Bill to amend the Acts for the protection of Game and Wild Fowl therein mentioned, as regards Lower Canada.

Petitions
referred.

Ordered, That the Petition of the Niagara Harbour and Dock Company, and the Petition of Clarke Gamble, of the City of Toronto, Esquire, be referred to the Standing Committee on Standing Orders.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Bill relating
to Deeds creating
Debts to the Crown.

Bill, intituled, "An Act to compel the Registration of Deeds and Instruments creating Debts to the Crown."

Orphans' Home
and Female Aid
Society Bill.

Bill, intituled, "An Act to incorporate the Orphans' Home and Female Aid Society of Toronto:" And also,

Stevens' At-
tainder Reversal
Bill.

The Legislative Council have passed a Bill, intituled, "An Act to reverse the Attainder of Aaron Stevens, and avoid the forfeiture of certain of his estates, and for other purposes therein mentioned," to

which they desire the concurrence of this House.

And then he withdrew.

Stevens' At-
tainder Reversal
Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to reverse the Attainder of Aaron Stevens, and avoid the forfeiture of certain of his estates, and for other purposes therein mentioned," was

read the first time.

Bill to amend
the Laws
relating to the

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to amend and simplify the Laws relating to the Interest of Money," be

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Interest of Money.

printed for the use of the Members of this House.

On motion of the Honorable Mr. Sherwood, seconded by the Honorable Mr. Badgley,

Public
Business.

Resolved, That the third readings of Bills in this House shall hereafter take place at four o'clock precisely in the afternoon of each day during the

present Session, without preventing them from being taken up when they come otherwise in their Order.

An⁶ irregular conversation took place on the length to which the notices of motion extended, and the obstacle thus presented to actual business. The result was, the adoption of a motion to proceed at once to the orders of the day.⁷

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Orders of
the Day.

Mr. Bouthillier moved, seconded by Mr. Scott of Two Mountains, and the Question being put, That the Orders of the day be now called; the House divided: and the

names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Bouthillier, Chabot, Christie, Davignon, Duches-
nay, Dumas, Fortier, Fournier, Fourquin, Gagy, Guillet, Hincks, Holmes, Jobin,
Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, McConnell,
Méthot, Mongenais, Nelson, Notman, Papineau, Price, Prince, Sanborn, Sauvageau,
Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, Viger, and Wilson.
--(36.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cameron
of CORNWALL, Cayley, Crysler, Dickson, Hall, Macdonald of KINGSTON, Mackenzie,
Sir Allan N. MacNab, Malloch, McLean, Richards, Robinson, Sherwood of TORONTO,
Stevenson, and Taché.--(19.)

So it was resolved in the Affirmative.

A. Thompson's
Road Allowance
Bill.

An engrossed Bill to vest a certain allowance for Roads in the Township of Woodhouse, in the County of Norfolk, in Andrew Thompson, was, according to Order,

read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Boulton do carry the Bill to the Legislative Council, and desire their concurrence.

Montreal
Harbour Act
Amendment
Bill.

An engrossed Bill to alter and amend the Act 13 & 14 Vic. cap. 97, for improving and enlarging the Harbour of Montreal, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to alter the rates of Wharfage payable in certain cases in the Harbour of Montreal."

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Quebec Bank
Bill.

An engrossed Bill to reduce the number of Directors of the Quebec Bank, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to reduce the number of the Directors of the Quebec Bank."

Ordered, That the Honorable Mr. Chabot do carry the Bill to the Legislative Council, and desire their concurrence.

Building
Societies Bill,
(L.C.).

An engrossed Bill to amend an Act to encourage the establishment of Building Societies in Lower Canada, was, according to Order, read the third time.

Mr. Lemieux moved, seconded by Mr. Méthot, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of TORONTO, Bouthillier, Cayley, Chabot, Christie, Dickson, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Gugy, Guillet, Hall, Hincks, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McConnell, McLean, Méthot, Nelson, Notman, Papineau, Price, Richards, Robinson, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, Taché, Viger, and Wilson.--(45.)

NAYS.

Messieurs Burritt, Mackenzie, and Smith of DURHAM.--(3.)
So it was resolved in the Affirmative.

Ordered, That Mr. Lemieux do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to
Real Property
illegally de-
tained.

An engrossed Bill to provide a more summary and less expensive process for proprietors of real property in Lower Canada to acquire the possession thereof when illegally detained from them in certain cases, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sanborn do carry the Bill to the Legislative Council, and desire their concurrence.

Mutual Fire
Insurance
Company Bill
(L.C.).

An engrossed Bill to authorize the establishment of a second Mutual Fire Insurance Company for the Country parts of Counties in Lower Canada in which there are large Cities or Towns, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend and make permanent the Acts in force in Lower Canada for the establishment of Mutual Fire Insurance Companies therein."

Ordered, That Mr. Jobin do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to Land Patents.

An engrossed Bill relating to Land Patents whereby any waste or other Lands of the Crown in Lower Canada are granted, and to dispense with certain formalities therewith connected occasioning unnecessary delay and expense, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act relating to Land Patents whereby any waste or other Lands of the Crown in Lower Canada are granted, and to dispense with certain formalities therewith connected occasioning unnecessary delay and expense, and to amend a certain Act therein mentioned concerning such Land Patents."

Ordered, That Mr. Christie do carry the Bill to the Legislative Council, and desire their concurrence.

Gould & Sons
Naturalization
Bill.

An engrossed Bill to naturalize Ira Gould and others, and for other purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

Petit Jurors
Payment Bill,
(U.C.).

Mr. Stevenson reported the Bill to provide for the payment of Petit Jurors in Upper Canada; and the amendments were read, and agreed to.

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Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Bill relating to
the Fisheries in
the Gulf of
St. Lawrence.

The Order of the day for the second reading of the Bill to remove all doubts as to the right of Her Majesty's subjects in Canada carrying on the Fisheries in the Gulf of St. Lawrence to land and occupy, for the necessary purposes thereof, any unoccupied places on the North Shore or Labrador, within the limits of the Province, they may deem suitable thereto, and carry on their Fisheries thereat, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Navigation
Act.

The Order of the day for the House in Committee for the purpose of taking into consideration certain Resolutions upon which to found an Address to Her Majesty, praying that She will be pleased to sanction the introduction into the Imperial Parliament of a measure to extend the principles recognized in the late Naviga-

tion Act, to the natural productions of Canada, being read;

Ordered, That the said Order of the day be postponed until Monday next.

Bill relating to
Commissions
for taking
Evidence.

The Order of the day for the second reading of the Bill to facilitate the issue of Commissions for the examination of Witnesses and the taking of evidence in Suits at Law pending and to be brought in the several Courts of Record in Upper Canada, being read;⁸

MR. LYON moved the second reading of the bill to facilitate the issue of commissions for examining witnesses for the several Courts of Record of Canada West.⁹

The bill was opposed by MESSRS. RICHARDS, BADGLEY, J. CAMERON, and others on the ground that the intention of the bill was to give any suitor an absolute right to issue these commissions instead of leaving it, as at present to the discretion of the judge¹⁰.

MR. J. CAMERON had a case in which this discretion had been exercised by the judges to refuse the commission. It was a case in which a Mr. Mair was plaintiff, who, having brought his action in Lower Canada, was defeated and obtained an order for a new trial. That trial had not taken place, but in the meantime a new action was commenced in Upper Canada.¹¹

MESSRS. MACDONALD and MORRISON, however, contended that whenever people had a right to bring an action, they had a right to get evidence.¹²

MR. CARTIER also supported the bill, taking the opportunity to explain that he was not retained in the case of Mair v. Anderson. He said, too, that in Lower Canada the judges could not refuse commissioners rogataires.¹³

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Mr. Lyon moved, seconded by Mr. Cartier, and the Question being proposed, That the Bill be now read a second time;

Mr. Richards moved in amendment to the Question, seconded by Mr. Flint, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Cameron of CORNWALL, Christie, Flint, Hall, Solicitor General Macdonald, Mackenzie, Price, and Richards.--(9.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Cartier, Chabot, Crysler, Davignon, Dickson, Duchesnay, Dumas, Fortier, Fourmier, Fourquin, Gugy, Guillet, Holmes, Jobin, LaTerrière, Laurin, Lemieux, Letellier, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, McConnell, McLean, Merritt, Méthot, Mongenais, Morrison, Nelson, Notman, Papineau, Polette, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, Taché, and Viger.--(45.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for to-morrow.

Medical
Profession
(L.C.).

The Order of the day for the second reading of the Bill to amend the "Act incorporating the Members of the Medical Profession in Lower Canada, and to regulate the

study and practice of "Physic and Surgery therein," to afford relief to certain persons who were in practice as Physicians and Surgeons in this Province at the time when the said Act became Law, being read;

Mr. Sanborn moved, seconded by Mr. McConnell, and the Question being proposed, That the Bill be now read a second time;

The Honorable Mr. LaTerrière moved in amendment to the Question, seconded by Mr. Gugy, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the Main Question being put:--It was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Sanborn, Mr. Nelson, Mr. Taché, the Honorable Mr. Badgley, and Mr. McConnell, to report thereon with all convenient speed.

Bill to enable
C.R. Wilkes
to convey cer-
tain Real Estate.

The Order of the day for the second reading of the Bill to enable Caira Robbins Wilkes, the wife of George Samuel Wilkes, of Brantford, Esquire, to convey by herself certain Real Estate devised to her by her late father, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Notman, the Honorable Mr. Baldwin, the Honorable Mr. Macdonald, Mr. Prince, Mr. Morrison, Mr. Smith of Frontenac, and Mr. Smith of Durham, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Bill relating
to Arson.

The Order of the day for the second reading of the Bill to extend the provisions of an Act, intituled, "An Act to amend the Criminal Law of this Province, relating to the offence of Arson," being read;

Ordered, That the Bill be read a second time on Thursday next.

Intestates
Estates Bill.

The Order of the day for the second reading of the Bill to regulate the distribution of the personal estates of Intestates in Upper Canada, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Bill to render
certain effects
liable to
seizure in Up-
per Canada.

The Order of the day for the second reading of the Bill to render certain effects liable to seizure under execution against Goods and Chattels in Upper Canada, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Water-power
Bill (U.C.).

The Order of the day for the second reading of the Bill to encourage and protect the creation of water-power for manufacturing purposes in Upper Canada, being read;

Ordered, That the Bill be read a second time on Wednesday next.

Bill relating
to Trial by
Jury (U.C.).

The Order of the day for the second reading of the Bill to dispense with Trial by Jury in certain cases in Upper Canada, being read;

Ordered, That the Bill be read a second time on Thursday next.

Bill relating
to Rectories.

*The Order of the day for the second reading of the
Bill to repeal so much of the Imperial Act 31 Geo. 3, cap.
31, as relates to Rectories, and the presentation of In-
cumbents to the same being read;*¹⁴

MR. INSP. GEN. HINCKS trusted that the hon. member would consent to postpone this measure, and allow it to come up on Thursday; and also that it be placed on the first order of the day for Thursday.¹⁵

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*Ordered, That the Bill be read a second time on Thursday next, and be then the
first Order of the day.*

Physic and
Surgery Bill
(U.C.).

*The Order of the day for the second reading of the
Bill to amend the Law of Upper Canada relative to the
practice of Physic and Surgery, being read;*¹⁶

MR. RICHARDS moved the second reading of the Bill to amend Acts relative [to] the practice of physic and surgery in Upper Canada. He explained at some length the nature of his bill¹⁷. He stated that his object was to repeal those clauses in the acts in question, which imposed penalties on what were considered irregular practitioners of the art of physic. He was in favour of permitting everybody to practice, who was judged by the patient to be capable of rendering him assistance. It was supposed, no doubt, that these laws prevented quacks, but nothing could be more untrue in fact.¹⁸ All past experience shows that it is absurd to talk of penal enactments preventing quackery. He referred to the city of London where the most stringent laws were enacted, and where at the same time the greatest amount of quackery existed.¹⁹ [There] they had very stringent laws to prevent the practice of physic without license, but experience showed that it had the contrary effect; and instead of repressing, rather encouraged quackery. The fact was that under these laws the quack could appeal to the honour of his patient by telling him that he had the knowledge necessary for his care, but that he was prevented by law from practising. Under such circumstances, there was a tie of honour, not only to conceal all bad results, but to pay ready money. In the United States the same thing was true; so that there it had been found necessary to repeal all laws of this character. In Upper Canada, too, the House might rely on it, none of these penal laws could be enforced.²⁰ The bill was merely to repeal the penal portions in the bill already in existence, and to allow all parties to come into competition. The law so far from doing injury to the parties against whom it was enacted, became injurious to physicians themselves, when they attempted to put it in operation.²¹ Now, as to quackery, there were many quacks in the profession as well as out of it. The inventor of cow pox was denounced as a quack by his brethren, though a regular physician; so was Harvey, the discoverer of the circulation of the blood; and it was a mere peasant who had first applied the water cure, which had probably relieved more persons than any other discovery since the cow pox. The law did not protect the regular doctor; for no doctor would confess without a blush that he lived on the law instead of his brains.²² While penal enactments were in force in New York the effect was the same, the practical result of the penal enactments were [sic] only to create quackery.²³ [There] the abolition of the penal laws, had, by the consent of all medical men, been followed by increased confidence in regularly educated men.²⁴

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*Mr. Richards moved, seconded by Mr. Flint, and the Question being proposed,
That the Bill be now read a second time;*

MR. BADGLEY opposed the bill, for it was no reason to repeal a law that it could not be applied to every possible case; nor to protect quacks because it was true that regular physicians sometimes deviated into unusual lines of practice.²⁵ The fact that the laws in existence did not prevent quackery, might be a reason that they should be made more stringent, but was no argument at all that the laws should be abolished.²⁶ But his great objection to it was the loose wording of the bill, which only provided for the punishment of parties professing to practice medicine, who should show gross negligence, mal-practice, or immoral conduct. Now who was to define immoral conduct? Some would think that immoral conduct of which another would think nothing.²⁷

DR. LATERRIERE (in French) opposed the bill at some length in a very indistinct voice²⁸. He considered it as prudent to license murder and highway robbery, as to enact such a bill. It was virtually saying that the savage state was superior to the civilized.²⁹

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The Honorable Mr. LaTerrière moved in amendment to the Question, seconded by Mr. Gagy, That the word "now" be left out, and the words "this day six months"

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added at the end thereof;

COL. PRINCE spoke in favour of the bill [sic]. He made some humorous remarks in reference to the buzz which takes place in the House, when any of the professions are attacked; whatever good may be done in England by restoring medical men from practising, unless connected with a medical board, the law does not apply--the custom does not apply--and the practice does not apply to this country.--³⁰ He contended at some length, in favor of the principle of allowing physicians who were not licensed, to practice in a country like this. He said that he himself might be out shooting in the wilderness where he lived, and shoot off one of his thumbs, and asked, if in that case, he should be prevented from consulting the first man that he met, in whom he had confidence. The present law was an injustice to backwoodsmen.³¹ A man should be allowed to employ whatever medical man he pleases. He had been compelled in his profession to prosecute gentlemen under the penalties of this very bill, and he was pained to see juries compelled to bring in a verdict according to law, but contrary to their conscience. He called upon the House to allow the bill to be read a second time.³²

DR. NELSON at some length condemned the disposition he saw in the House to break down all barriers that protected the medical profession, and shewed the injurious results to which such a course would lead. But he was in favor of not interfering with old unlicensed practitioners, and he supported the bill before the House.³³

MR. INSP. GEN. HINCKS briefly supported the bill, contending there was a strong feeling in Upper Canada in favor of its principle. He complimented Dr. Nelson on his speech.³⁴

A few remarks [came] from some other members.³⁵

MR. RICHARDS applied [sic] to the remarks of Dr. Laterrière.³⁶

MR. SOL. GEN. MACDONALD referred to the case of the hon. member of the House, who had been given up by his regular medical practitioners, and had been taken up by one of these new doctors they would style quacks, and was soon so well as to be driving about in his carriage.³⁷

MR. MACDONALD of Kingston said if a clause of the bill which he read were

passed, no man could be prosecuted for practicing Medicine for gain. He was opposed to that principle; and said that he was so in the name of humanity that had been appealed to by an hon. member. He went on to argue that people in general, could not discriminate sufficiently to ascertain if a man who practised physic was competent or not, and some check was required for their protection. He showed that it would be impossible in almost any case to indict a man under the bill, as no man could be indicted for a general imputation of gross ignorance and that it would be difficult to prove a specific case.³⁸ [He] opposed the bill.³⁹

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Cayley, Christie, Davignon, Dickson, Duchesnay, Dumas, Fortier, Fournier, Gugy, Jobin, Lacoste, LaTerrière, Lemieux, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McFarland, McLean, Meyers, Papineau, Polette, Sauvageau, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Taché, and Viger.--(35.)

NAYS.

Messieurs Armstrong, Bell, Burritt, Fergusson, Flint, Fourquin, Guillet, Hincks, Holmes, Johnson, Laurin, Letellier, Solicitor General Macdonald, McConnell, Merritt, Méthot, Morrison, Nelson, Price, Prince, Richards, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, and Smith of DURHAM.--(25.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Registry Or-
dinance (L.C.)
Amendment Bill.

The Order of the day for the second reading of the Bill to amend the Registry Ordinance of Lower Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Lacoste, the Honorable Mr. Badgley, the Honorable Mr. Chabot, Mr. Lemieux, Mr. Davignon, Mr. Laurin, Mr. Armstrong, and Mr. Dumas, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Bill to amend
the Laws rela-
ting to Interest
of Money.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to amend and simplify the Laws relating to the Interest of Money," being read;⁴⁰

MR. RICHARDS moved the second reading of the bill (from the Legislative Council) to simplify the laws relating to the interest of money. He explained that the object of the bill was to repeal the penalty clause of the present law. 6 per cent. would be the rate of interest recoverable by law; but a man might make a bargain to take or give any greater sum without incurring a penalty. He warned hon. gentlemen who objected to the repeal of the Usury Laws to beware how they opposed every modification of them. He could assure them that the days of the laws themselves were numbered⁴¹.

Hear, hear, from MR. H. SHERWOOD.⁴²

MR. RICHARDS [continued:--] and that their repeal was only a matter of time.⁴³

(180)

Mr. Richards moved, seconded by Mr. Holmes, and the Question being proposed, That the Bill be now read a second time;

Mr. Davignon moved in amendment to the Question, seconded by Mr. Cauchon, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MESSRS. INSP. GEN. HINCKS and SHERWOOD [spoke briefly] in favour of the Bill⁴⁴.

(180)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bouthillier, Cartier, Cauchon, Crysler, Davignon, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Gugy, Guillet, Jobin, Lacoste, Attorney General LaFontaine, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Méthot, Mongenais, Nelson, Papineau, Polette, Price, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Stevenson, Taché, and Viger.--(33.)

NAYS.

Messieurs Armstrong, Badgley, Bell, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cayley, Dickson, Fergusson, Hincks, Holmes, Johnson, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McLean, Merritt, Meyers, Morrison, Notman, Richards, Sanborn, Sherwood of TORONTO, Smith of DURHAM, and Smith of WENTWORTH.--(26.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Official Sal-
aries seizure
Bill.

The Order of the day for the second reading of the Bill to enable the Judgment Creditors of Public Officers to seize a portion of the Salaries and Emoluments of such Officers in certain cases, being read;⁴⁵

MR. W. SCOTT of Two Mountains, moved the second reading of the Bill to enable judgment creditors to attach official salaries.⁴⁶

MR. AT. GEN. LAFONTAINE opposed the bill.⁴⁷

(180)

Mr. Scott of Two Mountains moved, seconded by Mr. Smith of Durham, and the Question being put, That the Bill be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Bell, Bouthillier, Burritt, Cauchon, Christie, Crysler, Davignon, Dumas, Flint, Fournier, Fourquin, Guillet, Holmes, Jobin, Johnson, Lemieux, Letellier, Lyon, Malloch, Méthot, Meyers, Mongenais, Morrison, Nelson, Notman, Papineau, Richards, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of DURHAM, and Smith of WENTWORTH.--(35.)

NAYS.

Messieurs Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Dickson, Duchesnay, Fortier, Gugy, Hincks, Attorney General LaFontaine, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, McLean, Polette, Price, Prince, Sauvageau, Sherwood of TORONTO, and Stevenson.--(22.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time.

MR. W. SCOTT then moved to refer the Bill to a committee of the whole House. He remarked that the Bill was intended to prevent the fraudulent practices which were now frequently perpetrated by persons in office, who resorted to tricks to defraud their creditors, which should be discountenanced by every honest man.⁴⁸

(180)

Mr. Scott of Two Mountains moved, seconded by Mr. Smith of Durham, and the Question being proposed, That the Bill be committed to a Committee of the whole House, for Wednesday next;

MR. CHABOT suggested that it would be better to refer the Bill to a Select Committee,⁴⁹ that its details might be made as perfect as possible.⁵⁰ While he was in favour of the principle of the Bill, ... he objected to the details, which he did not think were best calculated to secure the object of the Bill.⁵¹

DR. NELSON took the same view as the preceding speaker⁵².

MR. W. SCOTT said that to send the bill to a select committee would be in effect to bury it for the session.⁵³

Some other members spoke against the bill.⁵⁴

MR. CAUCHON, while favourable to the bill, desired to see it sent to a special committee.⁵⁵

MR. INSP. GEN. HINCKS considered the plan of the present administration better, which was to require subordinate clerks to pay their debts out of their salaries.⁵⁶ Mr. Hincks (who had voted against the bill) repudiated the idea that the Government desired to protect government clerks against just demands of their creditors. The administration had invariably insisted on all their subordinate officers paying their debts, and this course would be adhered to whether the bill were passed or not.⁵⁷

MR. AT. GEN. BALDWIN took the same view.⁵⁸ He considered that the constraint proposed by the bill would be less effective than that which an administration were already able to bring into play.⁵⁹

COL. GUGY would oppose the measure in every form.⁶⁰

MR. W. SCOTT refused to allow his bill to be referred to a select committee as he feared that that would be the end of it. He severely condemned the practice of some government clerks who run in debt without intention of paying and he characterized such practice as fraudulent.⁶¹

DR. NELSON at some length, condemned the practice of running in debt by government clerks; and said that some persons who made a respectable appearance in society were guilty of appalling turpitude.⁶²

MR. CHABOT moved in amendment, the reference of the bill to a select committee.⁶³

(180)

The Honorable Mr. Chabot moved in amendment to the Question, seconded by Mr. Nelson, That all the words after "be" to the end of the Question be left out, in order to add the words "referred to a Special Committee of five Members, to report thereon with all convenient speed" instead thereof;

MR. H. SHERWOOD opposed the Bill, which he regarded as⁶⁴ an attempt at class legislation, as the salaries of mercantile or bank clerks could not be attached.⁶⁵

MR. W. SCOTT said they could in Upper Canada.⁶⁶

MR. H. SHERWOOD. If an attachment law were to be established let it be applicable to mercantile and other clerks as well as to clerks employed in the public departments.⁶⁷

MR. W. SCOTT said that in Lower Canada the law indicated by the last speaker already existed, except in its application to public officers.⁶⁸

MR. H. SHERWOOD said that the bill was not needed in Upper Canada. To pass it, would be to cast an unjust aspersion upon a body of men who were not more dishonest than other people.⁶⁹

MR. H. BOULTON contended that the bill would be inoperative if passed.⁷⁰ The fact that the Government already exercised a salutary controul over their officers, was all the guarantee that the public would want, and, certainly, all that they could get. Many of the cases that were complained of by tradesmen were the result of their own imprudence in giving unlimited credit to young men having small salaries.⁷¹ Discreet persons would not give credit to young lads in the public departments unless they know them personally; otherwise if they loose [sic] the debts they are rightly served.⁷²

MR. AT. GEN. LAFONTAINE again spoke against the bill, and pointed out inconveniences that would follow its enactment.⁷³

(180)

And the Question being put on the Amendment:

It was resolved in the Affirmative.

Then the main Question, so amended, being put;

Resolved, That the Bill be referred to a Special Committee of five Members, to report thereon with all convenient speed.

*Ordered, That Mr. Scott of Two Mountains, the Honorable Mr. Chabot, the Honorable Mr. Sherwood, Mr. Nelson, and the Honorable Mr. Attorney General LaFontaine, do compose the said Committee.*⁷⁴

Post Office
Department.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 14th July, 1851, praying for a Return shewing the net revenue of the Post Office Department in Canada, after paying all charges of management, for the year ending July 5th, 1849; and copies of the Quarterly Returns made by the late Deputy Post Master General to the Post Office Department in England, shewing the receipts and expenditure of the Post Office Department in Canada, from the 5th July, 1850, to the 5th of April last, or to the latest period to which the Returns have been already made up; also, a Statement shewing the amount of the net revenue of the Post Office Department in Canada, after deducting all charges of management, since the 5th day of July, 1844, and informing this House of the purposes to which the said net or surplus revenue raised from the People of Canada has been applied, together with a copy of a Despatch of the Right Honorable Earl Grey, dated the 25th of June, 1847, ordering the net surplus, from 5th July, 1844, to be applied to the public uses of this Province; and a Statement shewing the times when the several Mail Contracts, enumerated in a Return sent down on the 30th of last month,

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relative to the Post Office Department, will expire; how many of those Contracts were made with the Department since the 5th of April last, and whether all or any of such Contracts were opened to public competition, or privately awarded to persons selected by the Executive Government.

Appendix (V.V.)

For the said Return, see Appendix (V.V.)

Ordered, That the said Return be printed for the use of the Members of this House.

Transfer of
Real Property
Bill (U.C.).

The Order of the day for the House in Committee on the Bill to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, "An Act to simplify the transfer of Real Property in Upper Canada, and to render certain rights and interests therein liable under execution," being read;

The House accordingly resolved itself into the said Committee.

Mr. Mongenais took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Mongenais reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Absent Defen-
dants Bill.

The Order of the day for the House in Committee on the Bill to provide a remedy against absent Defendants, being read;

The House accordingly resolved itself into the said Committee.

Mr. Scott of Bytown took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Scott of Bytown reported That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Scott of Bytown reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Malloch, seconded by Mr. Duchesnay,
The House adjourned.⁷⁵

FOOTNOTES: 21 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: GLOBE, 22 July 1851, MONTREAL GAZETTE, 25 July 1851, HAMILTON SPECTATOR, 26 July 1851, which copied from PATRIOT, of unknown date, and misdated the debate as 21 June 1851, and PILOT, 26 July 1851.
2. MONTREAL GAZETTE, 25 July 1851.
3. IBID.
4. IBID.
5. IBID.
6. The following papers reported the conversation on this matter in identical accounts: GLOBE, 22 July 1851, MONTREAL GAZETTE, 25 July 1851, and PILOT, 26 July 1851.
7. MONTREAL GAZETTE, 25 July 1851.
8. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 July 1851, and NORTH AMERICAN, 25 July 1851.
9. BRITISH COLONIST, 22 July 1851.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. The following papers reported the brief discussion on this matter in identical accounts: GLOBE, 22 July 1851, MONTREAL GAZETTE, 25 July 1851, HAMILTON SPECTATOR, 26 July 1851, which copied from PATRIOT, of unknown date, and misdated the discussion as 21 June 1851, and PILOT, 26 July 1851. GLOBE, 22 July 1851, noted the exchange in a separate account.
15. MONTREAL GAZETTE, 25 July 1851.
16. The following papers reported the debate on this matter in identical accounts: GLOBE, 22 July 1851, MONTREAL GAZETTE, 25 July 1851, HAMILTON SPECTATOR, 26 July 1851, which copied from PATRIOT, of unknown date, and misdated the debate 21 June 1851, and PILOT, 26 July 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 22 July 1851, MONTREAL GAZETTE, 23 July 1851, BRITISH WHIG, 23, 25 July 1851, EXAMINER, 23 July 1851, MORNING CHRONICLE, 24 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, PILOT, 24 July 1851, NORTH AMERICAN, 25 July 1851, OTTAWA CITIZEN, 2 August 1851, and LA MINERVE, 24 July 1851.
17. MONTREAL GAZETTE, 25 July 1851.
18. BRITISH COLONIST, 22 July 1851.
19. MONTREAL GAZETTE, 25 July 1851.
20. BRITISH COLONIST, 22 July 1851.
21. MONTREAL GAZETTE, 25 July 1851.
22. BRITISH COLONIST, 22 July 1851.
23. MONTREAL GAZETTE, 25 July 1851.
24. BRITISH COLONIST, 22 July 1851.
25. IBID.
26. MONTREAL GAZETTE, 25 July 1851.
27. BRITISH COLONIST, 22 July 1851.
28. IBID.
29. MONTREAL GAZETTE, 25 July 1851.
30. IBID.
31. BRITISH COLONIST, 22 July 1851.
32. MONTREAL GAZETTE, 25 July 1851.
33. BRITISH COLONIST, 22 July 1851.
34. IBID.
35. IBID.

36. MONTREAL GAZETTE, 25 July 1851.
37. IBID.
38. BRITISH COLONIST, 22 July 1851.
39. MONTREAL GAZETTE, 25 July 1851.
40. The following papers reported the debate on this matter in identical accounts: GLOBE, 22 July 1851, MONTREAL GAZETTE, 25 July 1851, HAMILTON SPECTATOR, 26 July 1851, which copied from PATRIOT, of unknown date, and misdated the debate as 21 June 1851, and PILOT, 26 July 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 22 July 1851, MONTREAL GAZETTE, 23 July 1851, BRITISH WHIG, 23 July 1851, MORNING CHRONICLE, 24 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, PILOT, 24 July 1851, NORTH AMERICAN, 25 July 1851, and LA MINERVE, 24 July 1851.
41. BRITISH COLONIST, 22 July 1851.
42. IBID.
43. IBID.
44. IBID.
45. The following papers reported the debate on this matter in identical accounts: GLOBE, 22 July 1851, MONTREAL GAZETTE, 25 July 1851, HAMILTON SPECTATOR, 26 July 1851, which copied from PATRIOT, of unknown date, and misdated the debate as 21 June 1851, and PILOT, 26 July 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 22 July 1851, EXAMINER, 23 July 1851, BRITISH WHIG, 23 July 1851, MONTREAL GAZETTE, 23 July 1851, MORNING CHRONICLE, 24 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, PILOT, 24 July 1851, NORTH AMERICAN, 25 July 1851, and LA MINERVE, 24 July 1851. The debate was also noted by GLOBE, 22 July 1851, in a separate account.
46. BRITISH COLONIST, 22 July 1851.
47. IBID.
48. MONTREAL GAZETTE, 25 July 1851.
49. BRITISH COLONIST, 22 July 1851.
50. MONTREAL GAZETTE, 25 July 1851.
51. BRITISH COLONIST, 22 July 1851.
52. MONTREAL GAZETTE, 25 July 1851.
53. IBID.
54. BRITISH COLONIST, 22 July 1851.
55. MONTREAL GAZETTE, 25 July 1851.
56. BRITISH COLONIST, 22 July 1851.
57. MONTREAL GAZETTE, 25 July 1851.
58. BRITISH COLONIST, 22 July 1851.
59. MONTREAL GAZETTE, 25 July 1851.
60. IBID.
61. BRITISH COLONIST, 22 July 1851.
62. IBID.
63. IBID.
64. MONTREAL GAZETTE, 25 July 1851.
65. NORTH AMERICAN, 25 July 1851.
66. IBID.
67. MONTREAL GAZETTE, 25 July 1851.
68. IBID.
69. IBID.
70. EXAMINER, 23 July 1851.
71. MONTREAL GAZETTE, 25 July 1851.
72. EXAMINER, 23 July 1851.
73. MONTREAL GAZETTE, 25 July 1851.

74. MONTREAL GAZETTE, 25 July 1851, noted that the majority of the members of the select committee "had voted against the measure."
75. MONTREAL GAZETTE, 25 July 1851, noted that "the house rose shortly before eleven."

TUESDAY, 22 JULY 1851.

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Petitions
brought up.

THE following Petitions were severally brought up,
and laid on the table:--

By Mr. Lemieux,--The Petition of E. Boudreau and
others, Branch Pilots for and above the Harbour of Quebec.

By Mr. Christie,--The Petition of Alexander Mackintosh and others, of the
Township of Elgin.

Parishes,
Churches, &c.,
Erection Bill.

Mr. Bouthillier reported from the Select Committee on
the Bill to amend the Act to continue and amend the Or-
dinance concerning the erection of Parishes, Churches
and Church Yards in Lower Canada, That the Committee had
gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House,
for to-morrow.

Wellington
Land Tax
By-Law Bill.

Mr. Fergusson reported from the Special Committee
on the Bill to provide for the collection of Arrears
of Taxes under a certain By-Law of the District Council
of the late District of Wellington, and to remove doubts
as to validity of the said By-Law, That the Committee had gone through the Bill,
and made an amendment thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole
House, for to-morrow.

Report on
Petition of
P. Patterson
and others.

Mr. Laurin, from the Select Committee to which was
referred the Petition of Peter Patterson, Esquire, and
others, merchants of Quebec, and another reference,
presented to the House the Report of the said Committee;
which was read, as followeth:--

Your Committee having examined the Petition of Peter Patterson, Esquire, and
others, merchants of Quebec, praying that the provisions of the Act 12 Vic. au-
thorizing the formation of Joint Stock Companies in Lower Canada for the con-
struction of Macadamized Roads and Bridges and other like Works, may be extended
to Companies prepared to subscribe the necessary capital for the construction of
Booms in the Rivers Bécancour, Gentilly and Nicolet,--and also the Petition of
Henry Wulff Trigge and Thomas Trigge of Nicolet; and having heard before them
Thomas Alexander Lambert, Esquire, of Bécancour, have resolved, That the prayer
of the above mentioned Petition of the said Peter Patterson and others ought
not to be granted by Your Honorable House, inasmuch as the effect of the said
Petition, if granted, would be prejudicial to the public welfare.

Tenth Report
of Committee
on Private
Bills.

The Honorable Mr. Chabot, from the Standing Com-
mittee on Miscellaneous Private Bills, presented to
the House the Tenth Report of the said Committee; which
was read, as followeth:--

Your Committee have examined the Bill to incorporate
the Benevolent Societies of the Wesleyan Methodist Church in Canada, and the
Bill to authorize the Municipal Council of the United Counties of Wentworth and
Halton to dispose of a part of the present Court House Square, and to each of
the said Bills they have made certain amendments, which they beg leave to sub-
mit for the consideration of Your Honorable House.

Hamilton Court
House Square Bill.

Ordered, That the Bill to authorize the Municipal Coun-
cil of the United Counties of Wentworth and Halton

to dispose of a part of the present Court House Square, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for to-morrow.

Wesleyan
Benevolent
Societies Bill.

Ordered, That the Bill to incorporate the Benevolent Societies of the Wesleyan Methodist Church in Canada, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for to-morrow.

Report on
Petition of
Quebec Board
of Trade.

Mr. Christie, from the Select Committee to which was referred the Petition of the Quebec Board of Trade, with power to report by Bill or otherwise, presented to the House the Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petition of the Quebec Board of Trade, which represents the inconvenience to which the trade of the country is subjected in consequence of the provisions of the 5th section of the Statute 12 Vic. cap. 22, by which it is enacted, "that three days' grace, and no more, next after the day when a bill or note shall become due and payable, or after the day when such

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bill shall be presented to the drawer thereof, if drawn at sight, shall be allowed for the payment thereof, and shall be reckoned to expire in the afternoon of the third of the said days of grace, unless the said third day shall fall on a Sunday or Holyday, when the next day preceding, not being a Sunday or Holyday, shall be the last of the days of grace."

Your Committee having taken the same into consideration, are of opinion that the rule ought to be reversed, and that when the third day of grace falls on a Sunday or Holyday, the day succeeding, not being a Sunday or Holyday, but if it be so, then the day after, and not that preceding it, should be the last of the days of grace; and Your Committee accordingly beg leave to report herewith a Bill to that effect.

The Petition also remonstrates upon the inconvenience arising from the provision of the 7th section of the Act 13 & 14 Vic. cap. 27, by which, among other matters, it is enacted, "that any person who shall be convicted of selling intoxicating Liquors on Sundays and Holydays, shall for every such offence incur a penalty of ten pounds currency;" observing however, that the Petitioners do not complain but approve of the above provisions so far as they relate to the observance of the Sabbath day, the sanctity of which is acknowledged by all Christians, but that as respects the compulsory observance of other days, called "Holydays," enumerated in the above first recited Act, (section 26), they are desirous of representing to Your Honorable House the injury, injustice, and intolerance, (as they deem it) of the above enactments, in their bearings upon large portions of the mercantile community.

On this latter subject, Your Committee entertain a hope that in the intended new law for regulating taverns, as contemplated by Your Honorable House, new dispositions relative to the sale of ardent spirits on Holydays, and enforcing the observance of the same, without, nevertheless, encroaching upon the religious feelings of any class of Her Majesty's subjects, will be provided.

Ordered, That the said Report be printed for the use of the Members of this House.

Bill relating to
Bills of Exchange,
&c.

Mr. Christie presented to the House, a Bill to amend an Act therein mentioned relating to Bills of Exchange and Promissory Notes, which was received and read for the first time; and ordered to be read a second time on

Monday next.

Clerks of
Assize (U.C.)
Office Regula-
tion Bill.

Mr. Smith of Durham reported from the Select Committee on the Bill to regulate the Office of Clerks of Assize in Upper Canada, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Report on
Petition of
C.P. Huot
and others.

The Honorable Mr. LaTerrière, from the Select Committee to which was referred the Petition of C.P. Huot, Esquire, and others, Notaries of the District of Quebec, with power to report by Bill or otherwise, presented to the House the Report of the said Committee; which was

read, as followeth:--

Your Committee after having examined the allegations and conclusions of the above mentioned Petition, and having heard the evidence of Edouard Glackmeyer, Esquire, Notary, and President of the Board of Notaries for the District of Quebec, conceive that they have no other matter to offer in the form of a Report to Your Honorable House, than the evidence of this Gentleman in answer to the Petition above mentioned; which is as followeth:--

Edouard Glackmeyer, Esquire, Notary Public, called in; and examined:--

Has a tariff been framed in accordance with the Act 10 & 11 Vic. cap. 21, regulating the amount of Fees to be taken by Notaries in the District of Quebec for their professional labors, and if not, be pleased to inform us, whether the Board of Notaries have adopted any measures having reference to that subject,?--No tariff has yet been framed, but a Committee has been appointed by the Board for the purpose of preparing one: the Committee has been selected from those members who were known to be favorable to the institution of a tariff. Although the Notaries generally conceive that the Law does not permit us to establish the minimum rate of fees, but the maximum only, the profession would hardly derive any advantage from a tariff of this nature, and it would in no wise tend to obviate the great evil complained of, which is, that Notaries work for fees disgracefully low.

Sault Ste.
Marie Canal
Bill.

The Order of the day for the third reading of the engrossed Bill to incorporate the Sault Ste. Marie Canal Company, being read;¹

MR. BADGLEY moved the third reading of the bill to incorporate the Sault Ste. Marie Canal Company.²

MR. MACKENZIE opposed the bill, on the ground that it was impolitic to create a monopoly in the hands of a few private individuals, for the construction of a canal which ought to be in the hands of the Government.³ He said it was well understood that the most convenient side for making the Canal between Lakes Superior and Huron was the British side. There were vast treasures on the Lakes, and there could be nothing more disastrous than to give a private Company a monopoly in a work of this kind, which the Government would hereafter have to purchase from them at a very high price.⁴

MR. INSP. GEN. HINCKS took the same view as the hon. member for Haldimand, and expressed his determination⁵ [and] the intention of the Government to oppose the bill in every way. He thought that after having expended a very large sum in the construction of a great line of canals⁶, the Welland and St. Lawrence Canals⁷, it would be a piece of suicidal policy to entrust the proposed canal to private hands.⁸ [He] thought the construction of a canal from lakes Huron to Superior was a work that should be undertaken by the government, and not by a private company; although the government was not at present prepared to undertake the work⁹ [or] to propose a grant ... but this circumstance was not to form

an excuse for transferring a most important work to a party of speculators--especially to persons in whom ability to fulfil their promises he placed no confidence whatever.¹⁰ The company had not subscribed a shilling and from an examination of the petition, he did not believe that they would be able to construct the work.¹¹ These incorporations of Companies, which would never go into operation, were only calculated to embarrass genuine operations.¹²

MR. ROBINSON said the government should not have waited till the present stage of the bill before opposing it.¹³ [He] was equally opposed to a private company of the kind proposed, but he would like to have an assurance that the Government would take the matter up at no distant day.¹⁴ [He] desired before voting against the bill, which he was opposed to, to hear that the Government were prepared to take up the work at an early day.¹⁵ If some pledge of this nature were not given, he should support this bill; believing that the time had come when the business in the mining region of Lake Superior called for accommodation on an extensive scale. The business on the Lake was now much greater than many gentlemen appeared to suppose.¹⁶ There was a large and increasing trade on Lake Superior, and ... there were as fine mines on the British as on the American side.¹⁷ If the Government would not assume the work, it should be done by some body, as it was important that the Canal should be made.¹⁸

MR. H. BOULTON was understood to say that early in the session, the government had declared their intention not to proceed with this canal and therefore the House might well entertain some doubts as to the sincerity of the Inspector General's promises. No person who had visited the region under notice could doubt the importance of the work proposed, which should, however, be undertaken by and for the province. The cost of the canal would not exceed £100,000, and he would undertake to reduce the estimate to twice that amount [sic] without detriment to the public service.¹⁹

MR. MERRITT supported the bill.²⁰ [He] would sanction any plan that would lead to the construction of the proposed canal. The government would not make it²¹. [They] had deserted the water communications of the country to rake up railways, and now, like dogs in the manger, they wanted to prevent others from doing what they would not do.²² The House should pause before extinguishing a company which in his opinion, would be found equal to the task²³. The Company under this bill would lose their Charter if they did not commence in two years and finish in five. This work could be undertaken by capitalists from another country²⁴. American capitalists would be found ready to aid in its construction. Nature had afforded to this country extraordinary facilities for the construction of the canal, which private capitalists would construct while [members of] the house were talking on the subject²⁵ and he wanted to see it done, before the Americans get all the trade, as they would speedily do, if let alone. When the Americans built the Erie Canal, the whole trade of the Province was going away, yet the Government would do nothing.²⁶ The government had abandoned the policy which ought to be carried on in this country--namely, the completion of its splendid line of water communication and were now devoting themselves to railroads.--The objection to private companies was of slight value. We should never have had the Welland canal, but for private enterprise.²⁷ He declared the Welland Canal cost only £399,444. That was all the Province owed for it. He did not mean to say the Canal did not cost more; there was £80,000 obtained from England, and £25,000 from Lower Canada, but was that a cost to the country? No; but [it] showed the superior financial management of those who conducted the work.²⁸ Despite all that had been said to the contrary, the Welland canal would be found to be one of the best investments that the Province had undertaken.²⁹ He thought the Government would have enough to do to construct the railways, and they might allow others to undertake the Canal.³⁰

MR. BOULTON said the government were acting like the dog in the manger, willing neither to take up the work themselves nor allow any one else.³¹

MR. H. SHERWOOD said that at the commencement of the session, the hon. member for Simcoe had brought in a bill to give any company the right to construct this canal. This bill had also been brought in, and neither had been opposed till now.³² [He] was surprised at the course of the government, which had led to an impression that they did not intend to undertake the canal. If, then, they were not prepared to pledge themselves to the making of the canal, why should they throw obstacles in the way of private enterprise?³³ It was most important that this canal should be built.³⁴ The trade in the region in question was growing at a very rapid rate.³⁵ There were now constantly sailing to Sault Ste. Marie twenty-one ships³⁶ up to the very point where it was proposed to construct the canal; during the first ten days of May, 21,000³⁷ persons had³⁸ passed through Lake Huron to Lake Superior, for the purpose of carrying on trade³⁹. Three hundred tons of copper had come down from the American side; and there⁴⁰ on the American side, a city⁴¹ with 2000 inhabitants⁴² had sprung up, and was increasing at a wonderful rate.⁴³ In addition to this, he learned that the government of Michigan had granted a charter⁴⁴ [and] had incorporated a company with authority to construct a canal through the American territory,⁴⁵ which, however, had been found impracticable⁴⁶, the difficulties on their side ... [being] all but insurmountable. On our side, the length of the canal would not exceed half a mile, and extraordinary facilities existed; the consequence of which would be that the American capitalists would gladly come forward to carry out the undertaking. Granting that the petitioners of the present bill were not wealthy, they were active and enterprising [sic], and there could be no doubt that on the other side of the line, and elsewhere, numbers of wealthy men would be found ready to render them all the assistance that could be required.⁴⁷ Now let the Government undertake to make the work or let others do so. The present applicants did not expect to build the canal with their own capital, but to get capitalists to do it, just as his hon. friend the member for Lincoln had done on the Welland Canal.⁴⁸

COL. GUGY opposed the bill.⁴⁹

MR. MORRISON supported the bill⁵⁰. [He] declared that he should be ashamed of such a speech as that of the hon. member for Sherbrooke.⁵¹ [He] could not understand the policy of the government in this matter, bearing in mind that they had allowed the bill to advance to its present stage without opposition. It might be well to say that the canal should not be in the hands of private individuals, but it was too much to expect that the country would consent to allow the undertaking to remain in abeyance, until the government chose to take it up, although the cost would not exceed £30,000 or £40,000.⁵² He also denied that the Inspector General could have been ignorant of the bill up to that moment, as he had said, since that gentleman had actually taken part in the debate. The parties were called speculators, but they would not put their names to what they were not ready to carry out, and their names would carry as much weight as that of the hon. member for Oxford.⁵³ The petitioners were quite as respectable and as weighty as the Inspector General who had no right to sneer at them as he had done.⁵⁴ Nor was the trade inconsiderable.⁵⁵ The trade in the region referred to was growing at a rapid rate. In May⁵⁶ last year⁵⁷ 7000 tons of goods passed⁵⁸ up Lake Superior,⁵⁹ and 300 tons of coffee came down; and other things were advancing in proportion.⁶⁰ The cost of freight from that Lake to Detroit was as great as thence to England.⁶¹ As a proof of this, it might be stated that during the last ten years, the customs duties on our side had increased at the rate of 50 per cent, and seemed likely to increase at the same rate for some time to come.⁶² It was too bad that the Government should prevent

other persons from making this canal, while they dared not make it themselves, merely because persons from another part of the Province would say the money was spent in Upper Canada. The Government, over and over again, that session, had refused to undertake the canal; why not then allow others to do so? Let them even now pledge themselves to go on with the work, and the petitioners would still be satisfied, for that was all they wanted. He thought it most unfair too, to allow a bill like this to pass through all its stages, at great trouble to the petitioners, and then to stop it at the third reading.⁶³

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Mr. Morrison moved, seconded by the Honorable Mr. Merritt, and the Question being proposed, That the Bill be now read the third time;

COL. PRINCE supported the bill⁶⁴. Without blaming the government, [he] thought that they would have done well to have looked into the bill at an earlier stage. He hoped that on this occasion, the Lower Canadian members would not follow this or that leader against the bill; for while they could not be injured by the canal, they might be largely benefitted by it. He believed that the government had no intention of constructing the Canal, and he based this opinion on the fact that their chief engineer had reported dead against it.⁶⁵ [He] complained of the little favour accorded to private enterprise. He had himself experienced that in his attempt to open the trade of Lake Superior, which was now checked for want of this very canal.⁶⁶ He (Mr. P.) saw no reason for throwing barriers in the way of the private enterprise contemplated by the bill. Private individuals had already risked large sums in their efforts to develop the mining wealth of the region adjoining Lake Superior, and the chief reason why many of these undertakings were at a stand still, or comparatively unprofitable, was, the great difficulty amounting to a comparative impossibility, of conveying the ore to Lake Huron, and thence throughout the country.--In his opinion, the project before the house should be cherished instead of suppressed.⁶⁷

MR. INSP. GEN. HINCKS, referring to the censure that had been cast on the Government, said the Government reserved to themselves the right of opposing a Bill in any stage, and even in the Legislative Council, if necessary.⁶⁸ [He] said as long as he held a seat on the ministerial benches, he should reserve the right to oppose measures at any of their stages.⁶⁹ With regard to the Bill, he should have opposed it at a second reading, had he been present when it came up at that stage.⁷⁰ He paid all the attention he could to the business of the house, and few members were more regular in attendance than himself, but he did not know when the second reading of this bill came up.⁷¹ The experience of the Province in connection with the Welland Canal, was the main cause of his opposition to this measure; for while cheerfully conceding to the member for Lincoln great credit for the success which had attended his labors, he (Mr. H.) felt bound to say, that in his opinion the Hon. member had throughout advocated the interests of the Welland canal rather than the interests of the Province.⁷² The hon. member for Lincoln had made a bargain, much more for the benefit of the Welland Canal Company than for that of the Province.⁷³ A worse bargain was never made between two parties than that in relation to the Welland Canal; and he therefore desired to prevent a repetition of the circumstance. Much had been said as to the trade that was going on in the Lake Superior region, but it was American, not Canadian trade. In what he had said concerning the petitioners in behalf of this Bill, he had intended no personal disrespect to any of them. Their individual respectability he admired, but he repeated that he did not believe that they were prepared to come forward to subscribe money to construct the canal.⁷⁴ He concluded by moving, seconded by MR. AT. GEN. LAFONTAINE, that the bill be read⁷⁵ a third time⁷⁶ this day six months.⁷⁷

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The Honorable Mr. Hincks moved in amendment to the Question, seconded by the Honorable Mr. Attorney General LaFontaine, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. CHABOT said the private bill committee had not forgotten that this was a work which ought to be a public one, and they had passed it in the belief that the Government acquiesced in it. At the same time they had taken precaution to allow of its being acquired by the Government. If the bill were now opposed at the eleventh hour, it was because the Government had not had time to look at it before, owing to their many engagements. Still it was quite enough for him to know now, that the Government would take it up hereafter, in order to induce him to vote against the present bill.⁷⁸

MR. SOL. GEN. DRUMMOND said that the Bill passed the second reading at a morning sitting, when it was impossible that all members of the Government could be present. The fact that a Bill of this nature might pass the House almost unobserved was attributable to the practice of morning sittings. As to the bill itself, he opposed it on the broad principle that great undertakings of this nature ought not to be entrusted to private individuals.⁷⁹

MR. W. BOULTON supported [the bill] alleging that there were four names on the petition who could build the Canal themselves; viz: Messrs. Bowes, Louis Moffatt, Whittemore, and Murray.⁸⁰

MR. AT. GEN. LAFONTAINE opposed the bill showing that Mr. Killaly⁸¹ Chief Engineer of the Government⁸², had reported that the Canal on the American side could be made for £28,000, and on the British £60,000. It was a barren country on the British side, and therefore, there would be no trade except that with the Americans. But as soon as the Americans had trade enough to pay for a canal, they would build it themselves and so cut off all the profit from the British Canal. He objected to granting charters except to persons who could actually go on with works, and mentioned that the charter granted to a Company to build a Railway from Halifax to Quebec had been used in England to prevent the progress of the Government scheme.⁸³ The honorable gentleman spoke at some length against the measure.⁸⁴

MR. MERRITT [made] some explanatory remarks⁸⁵.

MR. ROBINSON read passages from Mr. Killaly's report to show that he viewed the Canadian side of the Lake Superior region as in many respects preferable to the opposite side.⁸⁶

MR. HOLMES expressed a belief that the result of a minute examination of the subject would lead the Inspector General to undertake the work on the part of the Province. He should, however, vote against the present bill.⁸⁷

MR. MACKENZIE urged upon the Government the necessity of at once resolving upon the making of the canal, as a Provincial undertaking.⁸⁸ [He] argued that this was a work which the Government ought to take up and not leave it in the hands of a private company.⁸⁹

COL. PRINCE condemned the attempt to throw out this effort of private enterprise. The assertion that this bill would take the canal altogether out of the hands of the Government was not correct, as the bill provided that after a certain number of years it should be competent to the Government to take the matter into their own hands, on certain fixed terms.⁹⁰

MR. HOLMES replied to some observations which had been made with reference to companies who had obtained acts of incorporation, without carrying out the

objects of such acts. One of these observations referred to the incorporation of the company for constructing the canal between the St. Lawrence and Lake Champlain.⁹¹

MR. SOL. GEN. DRUMMOND said he had imputed no blame to any projector of that work.⁹²

MR. HOLMES then would accept that explanation, and would only add that when that charter was granted there was a gentleman on his way from Boston with £1,500,000 to construct the canal; but he was arrested by cholera, and died at Albany. He concluded, however, by saying that he would vote against the bill, hoping the Government would take up the canal.⁹³

MR. MORRISON again spoke in support of the bill⁹⁴. [He] said that before the amendment was carried, he would ask the Government to impose any condition they pleased tending to compel the execution of the work,⁹⁵ and [he] declared his readiness to insert any clause compelling the petitioner to deposit \$30,000 or \$50,000 within six months.⁹⁶ This would show whether the operation was given for the reasons alleged, or whether merely for the sake of preventing the work.⁹⁷

MR. H. BOULTON said, that though favourable to the object of the bill, he thought that some of its provisions were defective. He therefore moved a second amendment, referring the bill to a select committee, in order that the subject might undergo mature consideration.⁹⁸

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The Honorable Mr. Boulton moved in amendment to the said proposed Amendment, seconded by Mr. Dickson, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be referred to a Committee of five Members, to report thereon with all convenient speed" instead thereof;

And the Question being put on the Amendment to the said proposed Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Christie, Dickson, Hall, Hopkins, Macdonald of KINGSTON, McLean, Merritt, Meyers, Morrison, Papineau, Prince, Robinson, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, and Smith of WENTWORTH.--(19.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Crysler, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fournier, Fourquin, Gagy, Guillet, Hincks, Holmes, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Malloch, Méthot, Mongenais, Nelson, Notman, Polette, Price, Richards, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Stevenson, Taché, Viger, Watts, and Wilson.--(51.)

So it passed in the Negative.

And the Question being put on the Amendment to the Original Question; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fournier, Fourquin, Gagy, Guillet, Hincks, Holmes, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Méthot, Mongenais, Nelson, Notman, Papineau, Polette,

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Price, Richards, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, Viger, Watts, and Wilson.--(47.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Christie, Crysler, Dickson, Fergusson, Hall, Hopkins, Macdonald of KINGSTON, Sir Allan N. MacNab, McConnell, McLean, Merritt, Meyers, Morrison, Prince, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, and Stevenson.--(25.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read the third time this day six months.

The House, on the motion of MR. INSP. GEN. HINCKS, directed that the fees on this Bill should be refunded.⁹⁹

MR. SHERWOOD, at some length, expressed the opinion, that the present motion was an acknowledgment of the injustice just done by the last vote.¹⁰⁰

MR. INSP. GEN. HINCKS justified the motion, which was carried.¹⁰¹

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Message from the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

County of York Courts Bill.

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to alter the periods for holding certain Courts in the County of York," without any Amendment: And also,

Bill relating to Rivers and Rivulets (U.C.).

The Legislative Council have passed a Bill, intituled, "An Act to explain and amend the Acts for preventing obstructions in Rivers and Rivulets in Upper Canada," to which they desire the concurrence of this

House: And also,

Registration of Deeds Bill, (L.C.).

The Legislative Council have passed a Bill, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," to which they desire the concurrence of this House.

And then he withdrew.

Bill relating to Rivers and Rivulets (U.C.).

An engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Acts for preventing obstructions in Rivers and Rivulets in Upper Canada," was read for the first time.

On motion of Mr. Richards, seconded by Mr. Smith of Durham,

Ordered, That the Bill be read a second time to-morrow.

Registration of Deeds Bill, (L.C.).

An engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," was read

for the first time.

Sault Ste. Marie Canal Bill.

Ordered, That the Clerk of this House do refund to the Petitioners the Fee of Fifteen pounds paid on the Bill to incorporate the Sault Ste. Marie Canal Company.

Debtors Effects
Attachment Bill.

An engrossed Bill to enable Creditors to attach the effects of Debtors about to leave this Province in cases under Ten pounds, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to enable Creditors to attach the effects of Debtors about to leave the Province, in cases under Ten pounds."

Ordered, That Mr. McConnell do carry the Bill to the Legislative Council, and desire their concurrence.

Apprentices
and Minors
Bill.

An engrossed Bill to amend the Law relating to Apprentices and Minors, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Stevenson do carry the Bill to the Legislative Council, and desire their concurrence.

Canada
Guarantee
Company Bill.

An engrossed Bill to incorporate the Canada Guarantee Company, was, according to Order, read the third time.

The Honorable Mr. Badgley moved, seconded by the Honorable Mr. Macdonald, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of TORONTO, Bouthillier, Burritt, Carter, Cauchon, Chabot, Christie, Crysler, Dickson, Solicitor General Drummond, Dumas, Fergusson, Fortier, Fournier, Fourquin, Gugy, Guillet, Hincks, Holmes, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Solicitor General Macdonald, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McLean, Méthot, Mongenais, Nelson, Notman, Papineau, Polette, Price, Robinson, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, Watts, and Wilson.--(50.)

NAYS.

Messieurs Chauveau, Mackenzie, Taché, and Viger.--(4.)
So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

Waterous' Civil
and Political
Rights Bill.

An engrossed Bill to confer upon Charles Horatio Waterous the Civil and Political Rights of a natural born British Subject, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to confer upon Charles Horatio Waterous, of the Town of Brantford, Machinist, the Civil and Political Rights of a natural born British Subject."

Ordered, That Mr. Wilson do carry the Bill to the Legislative Council, and desire their concurrence.

Twynam's
Attorney Bill.

An engrossed Bill to authorize the Courts of Queen's Bench, Common Pleas, and of Chancery, in the Province of Canada, to admit William Edwin Twynam to practise as

an Attorney and Solicitor therein, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to authorize the Courts of Queen's Bench, Common Pleas, and of Chancery, in Upper Canada, to admit William Edwin Twynam to practise as an Attorney and Solicitor therein."

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

Kingston
Water Works
Act Amend-
ment Bill.

An engrossed Bill to amend the Act intituled, "An Act to incorporate the City of Kingston Water Works Company," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to Ottawa
Street in Cayuga.

An engrossed Bill to close up part of Ottawa Street in the Village of Cayuga, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Mackenzie do carry the Bill to the Legislative Council, and desire their concurrence.

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Transfer of
Real Property
Bill (U.C.).

An engrossed Bill to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, "An Act to simplify the transfer of Real Property in Upper Canada, and to render certain rights and interests therein liable under execution," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cameron of Cornwall do carry the Bill to the Legislative Council, and desire their concurrence.

Absent Defen-
dants Bill.

An engrossed Bill to provide a remedy against absent Defendants, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cameron of Cornwall do carry the Bill to the Legislative Council, and desire their concurrence.

Payments by
the Clerk of
the House.

Mr. Watts moved, seconded by Mr. Cartier, and the Question being put, That the Clerk of this House do prepare and lay on the table, a summary of all payments made by him in his said capacity, for Contingencies, and otherwise, since the beginning of the present Session;¹⁰²

MR. WATTS, in explanation of a statement made during his absence¹⁰³ by the member for Norfolk¹⁰⁴ relative to his having received pay for attendance¹⁰⁵ [and] the drawing of travelling and other expenses in connexion with three days' attendance¹⁰⁶ to which it was alleged he was not entitled,¹⁰⁷ then rose and moved that the Clerk be directed to lay before the House a return of the sums paid to members of the House on account of their indemnity and travelling expenses. The hon. member said, that his object in making the motion was, to repel a vile slander cast upon him by the hon. member for Norfolk, or rather, that the press which had been induced by the representations of that gentleman to cast a slur on him,

which he had seen disseminated through the country, should give his answer to it. He had come up to the House to attend to his duties, as a member, and if he had not done so sooner, it was because the calling together of the House in the summer time was a virtual exclusion of farmers from Parliament. However he had not failed to watch the proceedings and when he saw the Municipal Bill before the house he came to give his assistance. When he arrived, he found this measure was not to be taken up, because hon. members from Lower Canada desired it might be suffered to lie over till the next session. He then looked to see if there were any other measures which concerned Lower Canada but found none though he did see many motions to be brought forward by a gentleman named Boulton; but he was not disposed to waste any time in listening to the speeches by which these motions were to be accompanied. Indeed, he believed they were only introduced for the purpose of giving the member for Norfolk an opportunity of abusing gentlemen on the ministerial benches, because they had refused to put on the bench certain gentleman of most unenviable notoriety. It would require more than 20s a day to induce him to listen to such¹⁰⁸ tiresome tirades¹⁰⁹ [and] he was so bored by¹¹⁰ [these] speeches ... [that] he therefore returned home. But¹¹¹ before he left the city he inquired of the clerk if he were entitled to indemnity for his attendance here,¹¹² [or] if there was anything wrong in taking his indemnity with him. The Clerk said no¹¹³ there was nothing improper in his receiving the money, it being in the usual course¹¹⁴ and [so] he took it. Had he supposed there was anything wrong in doing so he would not have done it. But he was satisfied that such a course was perfectly usual, and that the member for Norfolk had done the same thing himself. The member for Norfolk knew that what he (Mr. W.) had done was quite right; and if not he should have brought up the subject with closed doors. That, however, would not have accomplished the object. The fact was that the member had had some unpleasant feelings toward him and he was sorry to find that a private quarrel had been so mixed up with political dealing, as to induce the member to get a speech such as the member had made on the occasion referred to, thrown out to the country some eight or ten days before it could be replied to. If the member had chosen to do right he might have given notice of a motion to ascertain whether any thing was wrong; but in all communities there was a set of nasty --little--disagreeable--pests whose very countenance betrayed the perversity of their minds. He did not mean to say that this was applied to the member for Norfolk; but he did mean to say that last year that member was guilty of a falsehood and of a very gross falsehood. He had on that occasion to tell the members a piece of his mind, and the member cleared out to save consequences. He was sorry to have to allude to this; but it was well known to several hon. members who were present at the time.¹¹⁵

MR. INSP. GEN. HINCKS rose to order. He hoped the tone of personality indulged in by the hon. member so opposed to the dignity of the House, would not be persevered in, or that if it were there would be an unanimous disposition to put it down.¹¹⁶

SIR A. MACNAB would like to know where this sort of discussion was to stop, if the Speaker did not interfere while hon. members get up and alleged that other hon. members had told gross falsehoods. Who could now prevent the hon. member from Norfolk from replying?¹¹⁷

MR. WATTS would care little about what had taken place if he represented an Upper Canada constituency; because then the character of the hon. member for Norfolk and his own would be sufficiently well known to make reply unnecessary; but Lower Canadian members were looked upon as foreigners, and he therefore, felt bound to say that if there were a member who once held the high and important office of Attorney General but who had been dismissed, and if that member hap-

pened to be named Boulton--118

MR. MORIN the SPEAKER called the hon. member to order. Proper names were never used in speaking of hon. members.¹¹⁹

MR. WATTS did not speak of any particular member but must say that if there had once been a judge in Newfoundland of the name of Boulton--¹²⁰

MR. MORIN the SPEAKER--Order! Order!¹²¹

MR. WATTS--Perhaps he was wrong, and had let his temper get the better of his judgment; and therefore he would say that if such a person had more lately obtained a certificate of character six pages long in order to get into that House that person might suppose that because the character was written it could not be changed. All he would say, however, was that if that person were now to apply for the same character he would not get it. It was such a one as might be given to any person, who had slipped from the paths of virtue and who sought pardon on promise of repentance, and, as usually happened in such case[s], a short return to virtue had been followed by a relapse.¹²²

Here there were loud cries of order¹²³.

MR. INSP. GEN. HINCKS attempted to address the House.¹²⁴

MR. CAUCHON, however, first obtained a hearing, and remarked that the hon. member for Norfolk had been attacked and should have full scope for reply.¹²⁵

SIR A. MACNAB--The gentleman has been already allowed to stay beyond the motion. It is too late to call him to order now. The other hon. member must have his reply.¹²⁶

MR. MORIN the SPEAKER--Certainly; but the hon. member for Drummond has certainly been out of order.¹²⁷

SIR A. MACNAB--Then why not put him down? What language can now be used stronger--I was going to say more discreditable--than that we have just heard?¹²⁸

MR. INSP. GEN. HINCKS said that if things were allowed to go on in this way, the House would speedily degenerate into a body resembling the legislatures of some of the United States. It was no reparation to the House in cases like this, to call "order." The proper course was to call upon the hon. member to withdraw his words; that was the English method, and the only proper one.¹²⁹

MR. CAUCHON--The hon. member for Norfolk was the first to try to injure the character of the hon. member for Drummond.¹³⁰

MR. MORIN the SPEAKER--Well, certainly the hon. member for Drummond has not forgotten how to injure other people's characters.¹³¹

MR. WATTS then concluded by reading a letter he had addressed to the Clerk, asking if he (Mr. Watts) had done anything unusual in receiving his indemnity; also how much Mr. H.J. Boulton had received for attendance last session; and if that hon. member had received any money this session. To this the Clerk replied there was nothing unusual in members receiving their indemnity before the close of the session; that Mr. H.J. Boulton had received pay last session for 89 days; and that he had drawn during the present session £54.¹³²

The last announcement was received with loud cries of hear! hear! from the ministerial benches.¹³³

MR. H. BOULTON then said the hon. member for Drummond had told the House that his temper had run away with his judgment. He thought it was the hon.

member's avarice which had run away with the public money. However that might be, unless the Clerk had informed him wrongly, one other member had received his travelling expenses under similar circumstances, nor was it till he had heard these extraordinary circumstances related, that he became aware that any members received their indemnity from time to time during the session. The hon. member had received three days' pay, but £25 for travelling expenses, and he (Mr. B.) repeated what he had said before, which the hon. member could not gainsay, and from which all the hon. member's friends could not whitewash him--that that hon. member had done so without giving that bona fide attendance which came within the purview of the Act by which hon. members were entitled to receive their indemnity. Now he asked this simple question--if such a scandalous case as the present had presented itself, when the Act was passed, would there not have been a special provision to prevent it? No tribunal could possibly come to any other decision than that this was a gross abuse of the Act of Parliament. The hon. member did not earn his money. With regard to himself he had attended regularly in his place, and had not drawn more than he was entitled to receive; but he would not put his conduct into comparison with that of the hon. member for the judgment of a man who could have the meanness to abstract £25 from the Province--¹³⁴

Loud cries of order accompanied the hon. member during which MR. WATTS rose ... and asked if he were to sit there and hear that he had abstracted money?¹³⁵

MR. MORIN the SPEAKER said that, under the circumstances he could not prevent the hon. member from proceeding.¹³⁶

MR. H. BOULTON said he [hoped he] would conduct himself in a Parliamentary [manner], although Mr. Speaker had permitted the hon. member to behave in a most un-Parliamentary manner.¹³⁷

Here several members of the ministerial benches cried out "order" very lustily¹³⁸.

MR. CAUCHON complained of the reflection just made on the Speaker.¹³⁹

MR. WATTS rose in a very excited manner.¹⁴⁰

MR. MORIN the SPEAKER rose and cried order, with a strong accent on the last syllable and in somewhat a nervous manner.¹⁴¹

SIR A. MACNAB rose.¹⁴²

After some time every body sat down except MR. WATTS and¹⁴³ SIR A. MACNAB, who asked what harm there was in saying the hon. member had been permitted to behave in an unparliamentary manner? He had behaved in an unparliamentary manner.¹⁴⁴

MR. SHERWOOD thought if the matter were allowed to proceed as at present, it would end in an interminable row. Now what was the whole matter? An hon. member had stated that a gentleman from Lower Canada had drawn pay for expenses. Was that a fact? The Clerk could clarify that. If it were false let it be proved to be so, if it were true let it be admitted, and let the House form its own judgment; but do not, because one hon. member has stated this, allow another to go back all through the history of a man's life in England or Newfoundland, or any where else.¹⁴⁵

MR. MORIN the SPEAKER said the hon. member for Drummond had certainly been out of order, and had been called to order several times without effect. For his own part he desired to show no favour to either side.¹⁴⁶

MR. INSP. GEN. HINCKS said the hon. member for Norfolk had used unparliamentary expressions; but the hon. member for Drummond had done so before him. It was evident from the strong remarks just made that still stronger might be said. The proper course was for the House to call on the hon. member for Drummond to withdraw his offensive expressions.¹⁴⁷

MR. H. BOULTON [asked for] the Speaker's decision ... [whether] he was in order.¹⁴⁸

MR. MORIN the SPEAKER [gave his] decision that he [Mr. B.] was in order.¹⁴⁹

MR. H. BOULTON ... proceeded to say he knew he was in order in all he had said. (Cries of oh, oh.) It had been imputed to him that he had made these observations because he was not on terms with the hon. member. That hon. member had certainly behaved to him in the most impertinent manner last session, and he had not spoken to him since, but the house was, nevertheless bound to support him, for he felt it due to the House and the country, to let it be known how the money had been made away with. He had stated nothing but facts, and if they had so galled the hon. member that he felt obliged to come up and attack him with a speech which had taken eight days to concoct, he (Mr. B.) cared nothing for it, because any man guilty of conduct such as he (Mr. B.) had brought before the House and which the hon. member had admitted, could injure no one--his tongue could be no slander [*sic*]. With regard to having been Atty. Gen. or Judge of course the hon. member had capacity for neither these offices. The hon. member therefore had the advantage of him, since he could not retort except by alluding to the hon. member's having once been turned out of a petty clerkship, or something or another of that sort, too insignificant for any other mind. He had not gone into his statement in the first instance, with closed doors, and the result was this--it was a black transaction, and he thought the public ought to know it. The public had now expressed its opinion, in a way which would doubtless be more efficacious than any report of that House, and doubtless prevent the occurrence of such conduct. On the occasion when he had formerly alluded to this matter however, he had not stated all the facts. He had merely stated that the hon. member had attended one day and voted, and that he did not know if he attended on Friday or not. He made use of no epithets, though he might have applied the strongest against such discreditable conduct. The public who had read the statements had, however, applied the proper epithet and he would now as the subject had been alluded to, go a little further than he had gone before. Every member who came to the House to draw bills, or to transact any other business, was provided by the public with a modicum of stationery [*sic*]. Well he was informed and impressed that the hon. member for Drummond had received that stationery [*sic*], a little lot of pens, some ink, a certain number of quires of paper, & perhaps a penknife, as that was usual, altogether enough to set up a small stationer's shop in a small country place, and as the hon. member made no use of them, they might be re-purchased for the House for a much less price than they had cost. He mentioned that since the hon. member had thought proper to cast dirt at him. It was the hon. member's own dirt and would not stick to him, who had only mixed himself with the little, mean, paltry, insignificant conduct of the hon. member for the good of the Province.¹⁵⁰

MR. SOL. GEN. DRUMMOND regretted the discussion having been brought up as it had been; and also that it had produced the discussion that night. He felt, however, bound to say that while he had thought at first that a grave mistake had been made, he felt the explanations perfectly satisfactory; and he ought to say so more than others, because he happened to know that the hon. member

had come up to Toronto with the intention of passing the session, and only went down when he found that the agricultural measures in which he took an interest were not coming on. He gave a very high character to the hon. member for agricultural enterprise.¹⁵¹

COL. PRINCE said that the hon. member's character was not a question for the House, as the honble. gentleman was not on his trial at the bar; and the question was whether the hon. member had set a worthy example to his constituents in neglecting his duty and taking this money. He thought this conduct such, that if the House did not take some distinct action upon it, it would be covered with the deepest discredit. The excuse made by the hon. member for his friend was no excuse at all. What right had that hon. member to accept the office of Member of Parliament, and then having just smiled once on the House, retire again, with money for which he had rendered no services? Would he have been here now even, if it had not been for the call of the House?¹⁵²

MR. INSP. GEN. HINCKS regretted the tone of the hon. member's remarks which he considered very unfair-- The hon. member for Drummond was not the only one that had received compensation. The hon. member himself was absent part of the time of the Session of 1849.¹⁵³

COL. PRINCE rose to order. He explained that he had been only absent for one month with the leave of the House, and had paid his own expenses for 800 miles, going and returning.¹⁵⁴

MR. INSP. GEN. HINCKS said the principle was the same, and the hon. member for Drummond was entitled to receive what he had done. He regretted the attack which had been made upon him during his absence, which had stirred up much bad personal feeling and this was much to be deplored.¹⁵⁵

MR. CAUCHON said it was very mean for one member to act as a spy upon the conduct of other hon. members. He had known hon. members who had received more than they should yet he had not deemed it his duty to expose their conduct. He regretted this matter had been brought forward. It was a matter that should not have been made public, as it was calculated to bring discredit on the House. He thought the member who staid [sic] day after day and received payment for it, was more like a day labourer than the hon. member for Drummond.¹⁵⁶

MR. G. SHERWOOD did not regret that the matter had been brought up, as the case was one that required investigation. He thought it would be better that hon. members should not receive indemnity until after the session was over.¹⁵⁷

MR. H. SHERWOOD did not think that it was necessary that a member who came from a distance should be required to draw upon his private moneys for his expenses of living in the city. He proceeded to remark upon Mr. Cauchon's assertion that he knew some members had received more than they ought. Such a charge was calculated to throw a discredit on the whole House. The country would ask--who were the dishonest members? They should be named, and the anger of some be pointed at them; and that would prevent dishonorable imputations being thrown upon the rest of the House.¹⁵⁸

DR. NELSON hoped the discussion would be stopped. He did not think the hon. member for Drummond had done anything dishonorable, and he thought the charge of want of economy came ill from hon. members who were accustomed to waste the time of the House for night after night with useless motions and useless questions to the Ministry.¹⁵⁹

MR. MCCONNELL testified to the high opinion entertained of Mr. Watts in his section of the country. The country was greatly indebted to him for some bills

among which was the Agricultural bill.¹⁶⁰

MR. WATTS briefly replied. He said no hon. member had charged him with having done anything illegal; and for the rest he asserted his right to use his own discretion relative to what time he spent in Parliament.¹⁶¹

MR. RICHARDS said he had heard it stated by the hon. member for Norfolk, that the hon. member for Drummond had merely come up here on a pleasure excursion with his wife.¹⁶²

MR. H. BOULTON denied this.¹⁶³

MR. RICHARDS said--then he had misunderstood the hon. member. He went on to argue that there was no great difference between Mr. Watts taking £28 and Mr. Boulton, three days after, taking £54. And he could not see what right in such circumstances Mr. Boulton had to impute to Mr. Watts dishonorable motives.¹⁶⁴

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Cameron of KENT, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Davignon, Dickson, Solicitor General Drummond, Duchesnay, Egan, Fergusson, Flint, Fortier, Fournier, Fourquin, Guillet, Hall, Hincks, Holmes, Hopkins, Jobin, Johnson, Lacoste, Laurin, Lemieux, Lyon, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, McConnell, McLean, Méthot, Meyers, Mongenais, Morrison, Notman, Papineau, Polette, Prince, Richards, Robinson, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, Viger, Watts, and Wilson.--(61.)

NAYS.

Messieurs Baldwin, Gagy, Attorney General LaFontaine, LaTerrière, Solicitor General Macdonald, Merritt, and Price.--(7.)
So it was resolved in the Affirmative.

A call of the House then took place,¹⁶⁵ on motion of MR. AT. GEN. LAFONTAINE.¹⁶⁶

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House called over. *The Order of the day for the call of the House, being read;*

Ordered, That the House be now called over.

Ordered, That the Serjeant at Arms attending this House do go with the Mace, to the places adjacent, and summon the Members there to attend the service of the House:--And he went accordingly; and being returned;

The House was called over, and several of the Members appeared; and the names of such Members as made default to appear, were taken down, as follow:--

William Cuthbert, sick.

Jacob DeWitt, sick.

Peter Perry, sick.

Dunbar Ross, sick.

Benjamin Seymour, sickness in his family.

COL. PRINCE asked what the call of the House was for?¹⁶⁷

MR. AT. GEN. LAFONTAINE replied that it was on the second reading of the bill

to augment the representation in parliament.¹⁶⁸

COL. PRINCE said that that of course could not be entered into at that late hour,¹⁶⁹ and that fact showed the absurdity of the call of the House, as any member might then make his bow, and retire¹⁷⁰ unless means could be devised for keeping members in the House after they appeared there.¹⁷¹

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Election Petitions Bill.

The Order of the day for the House in Committee on the Bill to repeal the several Acts of the Parliaments of Lower and Upper Canada now in force for the trial of Controverted Parliamentary Elections in the two sections of the Province respectively, and to provide by one General Act for the trial of all Parliamentary Election Petitions, being read;¹⁷²

The House accordingly resolved itself into the said Committee.

Mr. Cartier took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cartier reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Penitentiary Management Bill.

The Order of the day for the House in Committee on the Bill for the better management of the Provincial Penitentiary, being read;

The House accordingly resolved itself into the said Committee.

Mr. Boulton of Toronto took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Quebec River Police Bill.

The Order of the day for the second reading of the Bill to provide for defraying the expense of the River Police at Quebec, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Duchesnay took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Duchesnay reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be received to-morrow.

Orders deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Duchesnay, The House adjourned.

APPENDIX: 22 JULY 1851.

[WITHDRAWN MOTION RE: PETITION OF RODERICK ROSS.]¹⁷³

MR. MALLOCH moved the reference of the petition of Roderick Ross, Esq., on behalf of the Building Committee of the Carleton Protestant Hospital; but withdrew it without a vote.¹⁷⁴

FOOTNOTES: 22 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH WHIG, 23 July 1851, MONTREAL GAZETTE, 23 July 1851, PILOT, 24 July 1851, MORNING CHRONICLE, 24 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, LA MINERVE, 24 July 1851; EXAMINER, 23 July 1851, OTTAWA CITIZEN, 2 August 1851; GLOBE, 24 July 1851, BATHURST COURIER, 29 July 1851, which copied from GLOBE; BRITISH COLONIST, 25 July 1851, NORTH AMERICAN, 25 July 1851, HAMILTON SPECTATOR, 26 July 1851, and PILOT, 29 July 1851. The debate was also reported by JOURNAL DE QUEBEC, 9 August 1851, which contained a commentary on the debate.
2. BRITISH COLONIST, 25 July 1851.
3. GLOBE, 24 July 1851.
4. BRITISH COLONIST, 25 July 1851.
5. IBID.
6. GLOBE, 24 July 1851.
7. BRITISH WHIG, 23 July 1851.
8. GLOBE, 24 July 1851.
9. OTTAWA CITIZEN, 2 August 1851.
10. GLOBE, 24 July 1851.
11. OTTAWA CITIZEN, 2 August 1851.
12. BRITISH COLONIST, 25 July 1851.
13. OTTAWA CITIZEN, 2 August 1851.
14. GLOBE, 24 July 1851.
15. BRITISH COLONIST, 25 July 1851.
16. GLOBE, 24 July 1851.
17. BRITISH COLONIST, 25 July 1851.
18. BRITISH WHIG, 23 July 1851.
19. GLOBE, 24 July 1851.
20. OTTAWA CITIZEN, 2 August 1851.
21. GLOBE, 24 July 1851.
22. BRITISH COLONIST, 25 July 1851.
23. GLOBE, 24 July 1851.
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29. GLOBE, 24 July 1851.
30. BRITISH COLONIST, 25 July 1851.
31. OTTAWA CITIZEN, 2 August 1851.
32. BRITISH COLONIST, 25 July 1851.
33. GLOBE, 24 July 1851.
34. BRITISH COLONIST, 25 July 1851.
35. GLOBE, 24 July 1851.
36. BRITISH COLONIST, 25 July 1851. GLOBE, 24 July 1851, gave the number of vessels as 18.
37. GLOBE, 24 July 1851.
38. BRITISH COLONIST, 25 July 1851.
39. GLOBE, 24 July 1851.
40. BRITISH COLONIST, 25 July 1851.
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48. BRITISH COLONIST, 25 July 1851.
49. GLOBE, 24 July 1851.
50. OTTAWA CITIZEN, 2 August 1851.
51. BRITISH COLONIST, 25 July 1851.
52. GLOBE, 24 July 1851.
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63. BRITISH COLONIST, 25 July 1851.
64. IBID.
65. GLOBE, 24 July 1851.
66. BRITISH COLONIST, 25 July 1851.
67. GLOBE, 24 July 1851.
68. IBID.
69. OTTAWA CITIZEN, 2 August 1851.
70. GLOBE, 24 July 1851.
71. OTTAWA CITIZEN, 2 August 1851.
72. GLOBE, 24 July 1851.
73. BRITISH COLONIST, 25 July 1851.
74. GLOBE, 24 July 1851.
75. OTTAWA CITIZEN, 2 August 1851.
76. BRITISH COLONIST, 25 July 1851.
77. OTTAWA CITIZEN, 2 August 1851.
78. BRITISH COLONIST, 25 July 1851.
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83. BRITISH COLONIST, 25 July 1851.
84. GLOBE, 24 July 1851.
85. IBID.
86. IBID.
87. IBID.
88. IBID.
89. OTTAWA CITIZEN, 2 August 1851.
90. GLOBE, 24 July 1851.
91. BRITISH COLONIST, 25 July 1851.
92. IBID.
93. IBID.
94. GLOBE, 24 July 1851.
95. BRITISH COLONIST, 25 July 1851.
96. GLOBE, 24 July 1851.
97. BRITISH COLONIST, 25 July 1851.
98. GLOBE, 24 July 1851.
99. BRITISH COLONIST, 25 July 1851.

100. IBID.
101. IBID.
102. The following papers reported the debate on this matter in identical accounts: EXAMINER, 23 July 1851, OTTAWA CITIZEN, 2 August 1851; BRITISH COLONIST, 25 July 1851, NORTH AMERICAN, 25 July 1851, and MORNING CHRONICLE, 31 July 1851. The following papers reported the debate in partially identical accounts: GLOBE, 24 July 1851, BATHURST COURIER, 29 July 1851, which copied from GLOBE; HAMILTON SPECTATOR, 26 July 1851, and PILOT, 29 July 1851. The debate was noted by: MONTREAL GAZETTE, 24 July 1851, MORNING CHRONICLE, 24 July 1851, PILOT, 24 July 1851, and LA MINERVE, 26 July 1851. MONTREAL GAZETTE, 24 July 1851, noted that "some very bitter personal recriminations took place" in this debate. EXAMINER, 23 July 1851, also termed it a "recriminatory debate". BATHURST COURIER, 29 July 1851, observed that "altogether, the affair may be classed among the hottest of the session." BATHURST COURIER, 25 July 1851, also contained a commentary on this matter.
103. GLOBE, 24 July 1851.
104. OTTAWA CITIZEN, 2 August 1851.
105. GLOBE, 24 July 1851.
106. OTTAWA CITIZEN, 2 August 1851.
107. GLOBE, 24 July 1851.
108. BRITISH COLONIST, 25 July 1851.
109. OTTAWA CITIZEN, 2 August 1851.
110. GLOBE, 24 July 1851.
111. BRITISH COLONIST, 25 July 1851.
112. GLOBE, 24 July 1851.
113. BRITISH COLONIST, 25 July 1851.
114. GLOBE, 24 July 1851.
115. BRITISH COLONIST, 25 July 1851.
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162. IBID.
163. IBID.
164. IBID.
165. The following papers reported the exchange on this matter in identical accounts: GLOBE, 24 July 1851, PILOT, 29 July 1851; BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 25 July 1851. The exchange was also reported by OTTAWA CITIZEN, 2 August 1851. EXAMINER, 23 July 1851, noted it. Each of these papers noted that six members were absent from the House, whereas the JOURNALS listed five. Only BRITISH COLONIST, 25 July 1851, included the names of the missing members, identifying John Pliny Crysler as the sixth.
166. PILOT, 29 July 1851.
167. BRITISH COLONIST, 25 July 1851.
168. PILOT, 29 July 1851.
169. It was half-past nine o'clock when the House was called over, according to all reports.
170. BRITISH COLONIST, 25 July 1851.
171. PILOT, 29 July 1851.
172. The following papers noted the debate on this matter in identical accounts: GLOBE, 24 July 1851, PILOT, 29 July 1851; BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 25 July 1851. The debate was also noted by: EXAMINER, 23 July 1851; and OTTAWA CITIZEN, 2 August 1851. None of these papers gave an account of the content of the debate on this bill. The title of the bill could not be caught, in the words of BRITISH COLONIST, 25 July 1851, because "it was impossible to hear in the Reporter's Gallery owing to noises in the House." This noise, observed PILOT, 29 July 1851, "was occasioned by the members leaving the House. Five minutes after the call, two-thirds of the members had retired." OTTAWA CITIZEN, 2 August 1851, noted that "the seats were all but empty."
173. The following papers noted this withdrawn motion in identical accounts: BRITISH COLONIST, 25 July 1851, NORTH AMERICAN, 25 July 1851, and PILOT, 29 July 1851.
174. BRITISH COLONIST, 25 July 1851.

WEDNESDAY, 23 JULY 1851.

MORNING SITTING, 10 O'CLOCK A.M.

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Badgley,--The Petition of the Right Reverend the Lord Bishop of Quebec, on behalf of the Clergy and Delegates of the Church of England of the Diocese of Quebec.

By the Honorable Mr. Sherwood,--The Petition of William Winder, Esquire, Librarian of this House.

By Mr. Christie,--The Petition of Messieurs Benson and Company, and others, Merchants, and others interested in the Lumber Trade.

By Mr. McFarland,--The Petition of the Municipality of The Township of Wainfleet.

Members'
Allowance.

Mr. Fournier moved, seconded by Mr. Watts, and the Question being put, That a Statement of the allowance paid to each Member of the Legislature, in the years 1849 and 1850, be laid on the table by the Clerk specifying the number of days for which each Member claimed to be entitled to the allowance, according to law, and the number of miles which each Member claimed to have travelled, and for which he was paid:--It passed in the Negative.

(185)

Tavern
Keepers, &c.
Licenses Bill.

Ordered, That Mr. Solicitor General Drummond have leave to bring in a Bill to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Bill relating to
the construction
of Railways.

Ordered, That Sir Allan N. MacNab have leave to bring in a Bill to repeal so much of the Act 13 & 14 Vic. cap. 72, as relates to the construction of Railways.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Railways
General
Clauses Bill.

Ordered, That Sir Allan N. MacNab have leave to bring in a Bill to consolidate and regualte the General Clauses relating to Railways.

He accordingly presented the said Bill to the House, and the same was received and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Upper Canada
University
Bill.

Ordered, That Mr. Boulton of Toronto have leave to bring in a Bill to amend the Charter of the University of Toronto, and to constitute an University of Upper Canada in lieu thereof.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Bill relating to
the great Cran-
berry Marsh.

Ordered, That Mr. McFarland have leave to being in a Bill to authorize the County of Welland Municipal Council to purchase certain Lands in the said County, known

as the Great Cranberry Marsh, and for other purposes; and that the Rules of this House be suspended as regards the same.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

MR. COM. CR. LANDS PRICE¹ moved that the House go into Committee of the whole,, to take into consideration, the propriety of appropriating an annual sum of money (£1000 a-year) out of the Casual and Territorial Revenue, for the use of the Indians in Lower Canada; together with 342,000 acres of land.²

A discussion [arose] in which it was contended on one side by several gentlemen, that the House had not sufficient information to legislate for an annual grant³.

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Indians in
Lower Canada

The Honorable Mr. Price moved, seconded by the Honorable Mr. Hincks, and the Question being put, That this House do now resolve itself into a Committee, to consider the expediency of providing out of the Consolidated Revenue Fund of the Province, an annual appropriation for the use of the Indians in Lower Canada; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Bell, Bouthillier, Cartier, Cauchon, Chatot, Chauveau, Christie, Crysler, Davignon, Dickson, Solicitor General Drummond, Duchesnay, Dumas, Egan, Fergusson, Fortier, Fournier, Fourquin, Gugy, Guillet, Hincks, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, McConnell, McFarland, McLean, Merritt, Méthot, Meyers, Mongenais, Notman, Papineau, Polette, Price, Prince, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of DURHAM, Stevenson, Taché, Viger, Watts, and Wilson.--(58)

NAYS.

Messieurs Boulton of NORFOLK, Hopkins, and Malloch.--(3)
So it was resolved in the Affirmative.⁴

The House accordingly resolved itself into the said Committee.
Mr. Fergusson took the Chair of the Committee;

The House went into committee, on the suggestion of MR. INSP. GEN. HINCKS⁵.

MR. COM. CR. LANDS PRICE postponed his motion for the present, and the committee rose and reported progress.⁶

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and after some spent therein,

Mr. Speaker resumed the Chair;

And Mr. Fergusson reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Friday next.

On motion of Sir Allan N. MacNab, seconded by Mr. Dickson,

Railway
between Hali-
fax and
Quebec.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will cause to be laid before this House, copies of all Correspondence that has taken place between Her Majesty's Government and the Government of this Province, on the subject of the Act of this Legislature authorizing a private Company

to construct a Railway between Halifax and Quebec.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Smith of Durham, seconded by Mr. Cauchon,

Quebec Turnpike Trusts.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will cause to be laid before this House, a Debtor and and Creditor Account between the Provincial Government and the Commissioners of the Quebec Turnpike Trusts, from their commencement to the present time, or to the end of the last fiscal year; and the amount of Debentures held, and of interest paid and received by the Government from year to year, on account of those Trusts.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Smith of Frontenac, seconded by the Honorable Mr. Macdonald,

Provincial Penitentiary.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause the proper Officer to lay before this House, the Report of the Roman Catholic Chaplain of the Provincial Penitentiary, and the correspondence between that Officer and the Inspectors, for and during the year 1850-1.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of the Honorable Mr. Sherwood, seconded by the Honorable Mr. Macdonald,

J.A. Roebuck Esquire.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, copies of all Correspondence which has taken place between Her Majesty's Secretary of State for Colonies, and the Government of this Province, upon the subject of the claim of John Arthur Roebuck, Esquire, and of all documents accompanying the same.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

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On motion of the Honorable Mr. Sherwood, seconded by the Honorable Mr. Macdonald,

Gauge for Railroads.

Resolved, That an humble Address be presented to His Excellency to cause to be laid before this House all information in the possession of Government in reference to the proper Gauge to be adopted for Railroads to be constructed in this Province, as well as the copies of all Proceedings and Orders in Council relating to the same.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of the Honorable Mr. Boulton, seconded by Mr. Dickson,

Police.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, a copy of any Instrument or Instruments issued under the Ordinance of Lower Canada 2 Vic. cap. 2, for extending the word City or Cities to any neighbouring Districts for the purposes of Police; and also a copy of the Commissions of Messieurs McCord and Erma-tinger, appointing them respectively Inspectors and Superintendents of Police at Quebec and Montreal.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Laurin, seconded by Mr. Duchesnay,

Craig's Road,
St. Nicolas.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying him to cause to be laid before this House, by the proper officer, the Report of the Inspector of the Queen's Domain at Quebec, on the subject of that part of the Craig's Road which passes through the Parish of St. Nicolas, in the Seigniorship of Lauzon, and the obligation to keep which in repair is imposed upon the inhabitants of the Parish of St. Giles, in the County of Lotbinière, and all documents thereunto relating.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Malloch, seconded by the Honorable Mr. Robinson,

Carleton
General Pro-
testant Hospi-
tal Bill.

Ordered, That the Sixty-seventh and Seventy-ninth Rules of this House be suspended, as regards the Bill to incorporate the County of Carleton General Protestant Hospital.

On motion of Mr. Mackenzie, seconded by Mr. Hopkins,

Archbishopric
and Bishoprics.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, with as little delay as may be possible, copy of the following documents:--1. Of the Queen's Letters Patent under authority of which the Protestant Bishoprics of Quebec and Montreal have been erected or established: 2. Of the Queen's Letters Patent, dated 29th January, 1845, in favor of the Roman Catholic Archbishop of Quebec, and dated 17th August, 1839, in favor of the Roman Catholic Bishop of Montreal, giving these Prelates certain corporate powers, to which two latter documents reference is made in the 136th chapter of the Provincial Statutes of 1849: 3. Of the Queen's Letters Patent under authority of which the Protestant Bishopric of Toronto was separated from the former Diocese of Quebec, and established as a separate See.

Ordered, That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honorable the Executive Council of this Province.

Registration of
Deeds Bill
(U.C.).

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," be printed for the use of the Members of this House.

On motion of Mr. Cauchon, seconded by Mr. Polette,

Montmorency
Bridge.

Resolved, That this House do now resolve itself into a Committee, to consider the expediency of authorizing the Trustees of the Quebec Turnpike Roads to issue

Debentures to an amount, not exceeding Five thousand pounds, for the purposes of buying and rebuilding the Montmorency Bridge.

The House accordingly resolved itself into the said Committee.

Mr. Flint took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Flint reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

Petition of
W. Bacon to
be printed.

Ordered, That the Petition of William Bacon, of the Village of Ogdensburg, State of New York, Merchant, be printed for the use of the Members of this House.

Petit Jurors
Payment Bill,
(U.C.).

An engrossed Bill to provide for the payment of Petit Jurors in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Wilson do carry the Bill to the Legislative Council, and desire their concurrence.

AFTERNOON SITTING, 4 O'CLOCK P.M.

Election
Petitions Bill.

Mr. Cartier reported the Bill to repeal the several Acts of the Parliaments of Lower and Upper Canada now in force for the trial of Controverted Parliamentary

Elections in the two sections of the Province respectively, and to provide by one General Act for the trial of all Parliamentary Election Petitions; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Friday next.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Carleton General
Protestant Hos-
pital Bill.

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the County of Carleton General Protestant Hospital," without any Amendment:

And also,

Toronto House
of Industry Bill.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the House of Industry of Toronto," with several Amendments, to which they

desire the concurrence of this House.

And then he withdrew.

Penitentiary
Management Bill.

Mr. Boulton of Toronto reported the Bill for the better management of the Provincial Penitentiary; and the amendments were read, and agreed to.

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The Honorable Mr. Price moved, seconded by the Honorable Mr. Hincks, and the Question being proposed, That the Bill, with the amendments, be engrossed,

and read the third time on Friday next.

Mr. Smith of Durham moved in amendment to the Question, seconded by the Honorable Mr. Price, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be now recommitted for the purpose of adding the words, nor shall corporal punishment be inflicted in any case upon any Female Convict within the said Penitentiary" at the end of the fortieth Clause;"⁷

MR. J. SMITH (of Durham) moved to further amend the latter Bill, by recommending it with instruction to amend the 14th section by adding the words "nor shall corporeal punishment be inflicted in any case upon female convicts in the Penitentiary."⁸

MR. SHERWOOD thought that no exception should be made in regard to female convicts alone. He was for abolishing all corporeal punishment being inflicted in that institution upon any of its inmates. He moved to amend the amendment to the effect, that no corporeal punishment should be inflicted upon any class of the inmates of the Penitentiary.⁹

MR. MACDONALD (of Kingston) was opposed to either of the propositions. The abolition of corporeal punishment in the Penitentiary would, he thought, lead to a great amount of insubordination in the Institution. He thought the discretion of inflicting this punishment should be left with the Warden.¹⁰

MR. SOL. GEN. MACDONALD expressed himself as being in favor of the Bill as it stood.¹¹

Some further observations [came] from MR. H. SHERWOOD, MR. INSP. GEN. HINCKS, DR. LATERRIERE, and others¹².

The question was put upon the amendment of Mr. J. Smith (of Durham) viz., to recommit, &c., and carried.¹³

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And the Question being put on the Amendment; the House divided:--And it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Resolved, That the Bill be now recommitted for the purpose of adding the words "nor shall corporal punishment be inflicted in any case upon any Female Convict within the said Penitentiary" at the end of the fortieth Clause.

The House accordingly again resolved itself into the said Committee.

Mr. Boulton of Toronto took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had gone through the Bill, and made a further amendment thereunto.

Ordered, That the Report be now received.

Mr. Boulton of Toronto reported, That the Committee had gone through the Bill, accordingly; and the amendment was read, and agreed to.

The Honorable Mr. Price moved, seconded by the Honorable Mr. Hincks, and the Question being proposed, That the Bill, with the amendments, be engrossed, and read the third time on Friday next;

The Honorable Mr. Macdonald moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be now recommitted in order to amend the ninth Clause by leaving out the words 'two Inspectors' in the second line, and inserting the words 'five unpaid Inspectors'" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Dickson, Hopkins, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McLean, Merritt, Meyers, Robinson, Sherwood of BROCKVILLE, and Stevenson.--(16.)

NAYS.

Messieurs Bell, Burritt, Cartier, Cauchon, Chabot, Christie, Solicitor General Drummond, Egan, Fergusson, Fortier, Fournier, Fourquin, Gugy, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Solicitor General Macdonald, Mackenzie, Méthot, Mongenais, Morrison, Nelson, Notman, Papineau, Polette, Price, Sanborn, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, Taché, Viger, Watts, and Wilson.--(38.)

So it passed in the Negative.¹⁴

And the Question being again proposed, That the Bill, with the amendments, be engrossed, and read the third time on Friday next;

The Honorable Mr. Macdonald moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "Bill" to the end of the Question, be left out, in order to add the words "be now recommitted in order to amend the second paragraph of the tenth Clause, by inserting after the word 'interest' at the end thereof, the words 'Provided that the Inspectors shall provide in every contract to be hereafter made for the hiring out of convict labor, that the contractors shall dispose of the articles manufactured under such contract by public auction, and not by retail or private contract by public auction, and not by retail or private contract;'"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Dickson, Macdonald of KINGSTON, Sir Allan N. MacNab, McLean, Meyers, Robinson, Sherwood of BROCKVILLE, and Stevenson.--(11.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Solicitor General Drummond, Dumas, Fergusson, Fortier, Fournier, Fourquin, Gugy, Guillet, Hincks, Hopkins, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Lyon, Solicitor General Macdonald, Mackenzie, Malloch, McConnell, McFarland, Merritt, Méthot, Mongenais, Morrison, Nelson, Notman, Papineau, Polette, Price, Sanborn, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, Viger, and Wilson.--(45.)

So it passed in the Negative.

And the Question being again proposed, That the Bill, with the amendments, be engrossed, and read the third time on Friday next;

The Honorable Mr. Macdonald moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be now recommitted in order to amend the second paragraph of the eleventh Clause, by inserting after the words 'Justices of the Peace' the words 'not being one of the Inspectors,' and by inserting after the word 'made' in the twenty-first line of the said paragraph the words 'Provided always, that the party so convicted shall have the same appeal as a party convicted under the Law for the summary punishment of petty trespasses;'"

And the Question being put on the Amendment:--It was resolved in the Affirmative.

Then the main Question, so amended, being put;

Resolved, That the Bill be now recommitted in order to amend the second paragraph of the eleventh Clause, by inserting after the words "Justices of the Peace" the words "not being one of the Inspectors," and by inserting after the word "made" in the twenty-first line of the said paragraph, the words "Provided always, that the party so convicted shall have the same appeal as a party convicted under the Law for the summary punishment of petty trespasses."

The House accordingly again resolved itself into the said Committee.

Mr. Boulton of Toronto took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had gone through the Bill, and made further amendments thereunto.

Ordered, That the Report be now received.

Mr. Boulton of Toronto reported the Bill accordingly; and the amendments were read, and agreed to.

The Honorable Mr. Price moved, seconded by the Honorable Mr. Hincks, and the Question being proposed, That the Bill, with the amendments, be engrossed, and read the third time on Friday next;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Dickson, That all the words after "Bill" to the end of the Question be

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left out, in order to add the words "be now recommitted for the purpose of amending the seventeenth Clause, by leaving out so much thereof as provides for the appointment of two Chaplains, one whereof to be an ordained Clergyman of any of the Religious Denominations of Protestant Christians recognized by the Laws of this Province, and the other to be a Priest in Holy Orders of the Church of Rome, and to provide that the Clergy of all Denonimations shall have access to the said Institution under regulations to be framed by the Inspectors thereof, to afford spiritual instruction to persons belonging to their respective Denonimations" instead thereof;

MR. H. BOULTON moved to recommit the Bill, &c., &c.,--to amend by striking out in the 17th clause the provision relative to the Protestant and Roman Catholic Chaplains, and insert a provision leaving it open to the Ministers of all denominations to render spiritual assistance to the convicts in the Penitentiary. The Section as it at present stood, in his opinion, contained a provision which was most absurd. To say that all those who profess Presbyterianism, Universalism principles of the Baptist persuasion, and all other Dissenters, were to be instructed only by a Church of England Minister, was casting a slur--an unwarranted insult--upon all those different dissenting persuasions. It was a farce.--(Ironical laughter.) Yes, Yes, a mockery.¹⁵

After some further remarks, MR. COM. CR. LANDS PRICE replied generally to the observations of the hon. member who spoke last. He thought that if there were not established Chaplains whose services were to be entirely devoted to the spiritual wants of the convicts, it was possible that, owing to the multiplicity of the engagements pressing upon the local clergy, the inmates would not receive such attention in this respect, as if there were paid Chaplains to attend to their religious instruction.¹⁶

MR. W. BOULTON was of opinion that the salaries proposed to be given the Chaplains, viz. £250 per annum, each, were too high: the present salaries were sufficient. He expressed himself as being opposed to the proposition of the hon.

member for Norfolk.¹⁷

MR. INSP. GEN. HINCKS observed that the present bill provided that the chaplains should devote their time exclusively to attendance upon the religious wants of the convicts; it was not so heretofore; that was the reason the salary was increased.¹⁸

MR. H. SMITH was sorry the information which he asked for that morning had not been sent down. But if that had been done the object of this clause would have been seen through. It was to chisel the present Catholic Chaplain out of his situation. Now, that gentleman, Mr. Angus McDonald, who had done duty at the Penitentiary since the commencement was appointed in 1846, with consent of the bishop, to the situation, at £125 per annum. He had assiduously attended to his duties ever since; was there almost every day; had days appointed for the confessional; and visited the prison twice on Sundays. But that was not sufficient for Messrs. Brown and Bristow as they determined that three chaplains must be there all the time. Why? Because they know he was senior professor of Regiopolis and could not give all his time. Therefore to chisel him out, they put this claim in.¹⁹

MR. AT. GEN. LAFONTAINE replied, that it might perhaps be found possible to retain Mr. McDonald by allowing another clergyman to do part of this duty for him.²⁰

MR. H. SMITH was glad to hear that; but still complained that the report of the Chaplain made to the Warden had been suppressed by the inspectors. This was contrary to law; but the Commissioners had been above the law throughout.²¹

The debate was further prolonged by MR. COM. CR. LANDS PRICE and MR. ROBINSON.²²

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Dickson, Hopkins, McConnell, Robinson, and Sherwood of BROCKVILLE.--(6.)

NAYS.

Messieurs Badgley, Bell, Boulton of TORONTO, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Cryslar, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Egan, Flint, Fourquin, Gagy, Hincks, Jobin Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Merritt, Méthot, Meyers, Mongenais, Morrison, Nelson, Notman, Papineau, Polette, Price, Richards, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, Taché, Viger, Watts, and Wilson.--(50.)

So it passed in the Negative.

And the Question being again proposed, That the Bill, with the amendments, be engrossed, and read the third time on Friday next;

Mr. Boulton of Toronto moved in amendment to the Question, seconded by Mr. Mackenzie, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be now recommitted for the purpose of further amending the same, by adding the words 'Provided always, that no Member of the Legislature, or person who shall have been a Member of the Legislature, shall be eligible to be appointed an Inspector for the said Penitentiary, until one year after he shall have ceased to be such Member' at the end of the ninth Clause;"

MR. W. BOULTON (of Toronto) moved to recommit, &c., to amend by inserting that no member of the Legislature shall be eligible to be appointed an Inspector until one year hence (as we understood).²³

MR. MACKENZIE briefly supported the motion--it was a principle incorporated into many of the American States' constitutions.²⁴

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Duchesnay, Hopkins, Mackenzie, Malloch, Papineau, and Smith of DURHAM.--(8.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Chauveau, Chrysler, Davignon, Egan, Flint, Fournier, Fourquin, Guay, Guillet, Hincks, Holmes, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Solicitor General Macdonald, McConnell, Merritt, Méthot, Meyers, Mongenais, Morrison, Nelson, Notman, Polette, Price, Richards, Robinson, Sanborn, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, Taché, Viger, Watts, and Wilson.--(51.)

So it passed in the Negative.²⁵

And the Question being again proposed, That the Bill, with the amendments, be engrossed, and read the third time on Friday next;

The Honorable Mr. Robinson moved in amendment to the Question, seconded by Mr. Malloch, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be now recommitted for the purpose of amending the ninth and subsequent Clauses, by leaving out that part which provides for the appointment of two Inspectors, and inserting one Inspector" instead thereof;

MR. ROBINSON made a like motion for the purpose of striking out "two inspecors" and inserting "one Inspector". There was nothing he thought that two Inspectors were able to do, which one such like officer could not do.²⁶

(188)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Chrysler, Dickson, Hopkins, Macdonald of KINGSTON, Malloch, Merritt, Robinson, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, and Stevenson.--(15.)

NAYS.

Messieurs Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Davignon, Dumas, Flint, Fournier, Fourquin, Guay, Guillet, Hincks, Holmes, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Solicitor General Madonald, Mackenzie, Méthot, Mongenais, Morrison, Nelson, Notman, Papineau, Polette, Price, Richards, Sanborn, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, Viger, Watts, and Wilson.--(40.)

So it passed in the Negative.

And the Question being again proposed, That the Bill, with the amendments, be engrossed, and read the third time on Friday next;

Mr. Smith of Frontenac moved in amendment to the Question, seconded by

Mr. Richards, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be recommitted for the purpose of adding the words 'Provided always, that the said Inspectors shall be incapable of and disqualified from being elected or returned to be Members of the Legislative Assembly of this Province, and also shall be subject to the penalties contained in the second Clause of the Provincial Statute 7 Vic. cap. 65, in the event of their presuming to sit or vote as such Members' at the end of the ninth Clause;"

And the Question being put on the Amendment;--It was resolved in the Affirmative.

Then the main Question, so amended, being put;

Resolved, That the Bill be now recommitted for the purpose of adding the words "Provided always, that the said Inspectors shall be incapable of and disqualified from being elected or returned to be Members of the Legislative Assembly of this Province, and also shall be subject to the penalties contained in the second Clause of the Provincial Statute 7 Vic. cap. 65, in the event of their presuming to sit or vote as such Members" at the end of the ninth Clause.

The House accordingly again resolved itself into said Committee.

Mr. Gagy took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Gagy reported, That the Committee had gone through the Bill, and made another amendment thereunto.

Ordered, That the Report be now received.

Mr. Gagy reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Friday next.

Quebec River
Police Bill.

Mr. Duchesnay reported the Bill to provide defraying the expense of the River Police at Quebec; and the amendment was read, and agreed to.

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Ordered, That the Bill, with the amendment, be engrossed, and read the third time on Friday next.

Primogeniture
Abolition Bill.

The Order of the day for the House in Committee on the Bill to abolish the right of Primogeniture in the succession to Real Estate held in fee simple or for the life of another in Upper Canada, and to provide for the division thereof amongst such of the Relatives of the last proprietor as may best accord with the relative claims of such parties in the division thereof, being read;

The House accordingly resolved itself into the said Committee.

Mr. Smith of Wentworth took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Wentworth reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Smith of Wentworth reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time on Friday next.

Montreal
River Police
Bill.

The Order of the day for the second reading of the Bill to provide for defraying the expense of the River Police at Montreal, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time on Friday next.

Supply.

The Order of the day for the House in Committee of Supply, being read;

The House accordingly resolved itself into the said Committee.

*Mr. Taché took the Chair of the Committee;*²⁷

The House went into Committee of Supply and passed a number of items.²⁸

On the item of ... [the salary] for the Speaker of the Legislative Council²⁹, MR. INSP. GEN. HINCKS moved £1000³⁰.

MR. MACKENZIE objected to it and maintained that £500 a year was quite enough and twitted the Ministry with having voted for that sum when in opposition.³¹ The Attorney General (East) had voted for £500, for the Speaker, when that gentleman came from Hamilton, and it should be the same thing now that he came from Montreal.... [He] moved the substitution of £500. He considered the sum amply sufficient. The Speaker, besides his £1000, received £1 a day for indemnity as member in the same way that he (Mr. Mackenzie) did.³²

MR. H. SMITH said the Speaker did not get £1000 a year as a salary, it was to enable him to give dinners. (Laughter).³³ [He] thought £500 a year quite enough for the speakers of either house.³⁴

SIR A. MACNAB ... thought it would be unfair to reduce the salary without notice.³⁵ [He] thought this might be well for future speakers but that it was rather hasty to cut them down all at once at the close of [the] last session of Parliament.³⁶ The question would soon come up for the future [sic] rate of salary.³⁷

MR. BADGLEY [also] thought it would be unfair to reduce the salary without notice.³⁸

COL. PRINCE was for paying every man according to his work, but [he thought] that £1000 for 3 or 4 months work was entirely beyond their deserts and the means of the country, £500 was enough.³⁹

MR. W. BOULTON did not understand Sir A. MacNab in the observations he had made considering that there were certain resolutions of his coming up on the subject of retrenchment.⁴⁰ He then⁴¹ spoke at some length against paying the Speakers a high salary.⁴² The present sum of £1000 was a mere gratuity⁴³. He (Mr. B.) would like some member to give him a reason for paying the speaker of the Legislative Council any thing whatever seeing that other members of that body received nothing.⁴⁴ The services the Speaker rendered was [sic] not more onerous than those of any other member of the House, and were amply compensated by the honor of the office.⁴⁵ He was of opinion that £250 a year was enough for the speaker of either house, ... and he ... [moved] that sum [in amendment].⁴⁶

MR. FOURNIER wished to know why £7000 sterling is paid to the speakers of the House of Commons in England, and why a respectable sum should not be paid to the speakers in Canada to maintain the dignity of their position.⁴⁷

MR. W. BOULTON asked if the dignity was maintained actually at the present time.⁴⁸

SIR A. MACNAB took a different view.⁴⁹ [He] would be prepared to move his resolutions when they came up, but he did not think that the people of his country

would offer the Speakers the petty sum of £250 a-year.⁵⁰ He did not think the salary of the Speaker should be reduced to a less sum than that of the Clerk of the House, or a Book-keeper in a mercantile Establishment.⁵¹

MR. INSP. GEN. HINCKS made some general remarks on the subject of retrenchment.⁵² [He] defended the ministry for taking the salaries allowed them by law as fixed by the Conservative Government, and said it would not be fair to reduce the Speaker's salary, seeing that he had accepted the office on the faith of receiving it.⁵³

MR. H. SMITH of Frontenac held that the Speaker of the Legislative Council, was paid twice too much for the services he rendered.⁵⁴ [He] reminded the Inspector General that he had promised in 1848 that the Speaker of the Legislative Council was to act as President of the Executive Council, and a saving would be made.⁵⁵

MR. INSP. GEN. HINCKS denied this.⁵⁶

After some general remarks⁵⁷, MR. AT. GEN. LAFONTAINE said that the previous administration had given their Speaker £1000 when he (Mr. L.) and his friends had voted for £500.--(Cries of make it £500 now.)--Mr. L. continued to say that in next Parliament it⁵⁸ should be £500⁵⁹.

MR. H. SMITH (Frontenac) would think it more creditable if the Ministry would occasionally give up their usual style of argument, --that is, a reference to the practice of the previous government. That was their only argument in all cases and at all times. Now, that was no argument with him. He was there to do his duty to the country, and did not care what had been done or not done by previous governments. It was not because extravagance had been put up with to this time, that it should continue now. £500 was sufficient and admitted by the ministry to be sufficient, and no more should be paid.⁶⁰

MR. MACDONALD (Kingston) would oppose the amendment; it was a kind of insult to the Speaker of the Upper House, he having received £1000 heretofore for his services.⁶¹

MR. G. SHERWOOD said he would vote against the motion for £250, but for the one for £500, not as an insult, but because he had always voted for that [sic] sum.⁶²

The amendment was not sustained, and the main motion was carried.⁶³

The following items were agreed to without debate--

For the salary of the Clerk of the Legislative Council, £500; assistant Clerk, £400; Law Clerk, £250; Chaplain and Librarian, £200; Usher of the Black Rod, £100; Serjeant at arms, £100; Head Messenger, £100; Door Keeper, £60. Three Messengers for the Session at £15 each--£135; Contingent Expenses, £4,500.

Salary of the Speaker of the Legislative Assembly, £1000; Clerk, £500; assistant Clerk £400; English translator and Law Clerk, £350; French Translator, £250; Clerk of the Crown in Chancery, £150; Serjeant at arms, £100.⁶⁴

On the item for £30,000 for contingent expenses of the Assembly (exclusive of indemnity to members) coming up, MR. H. SMITH (of Frontenac)⁶⁵ inquired if it were the case that the Clerk received any commission for disbursing this large sum.⁶⁶

MR. INSP. GEN. HINCKS was understood to reply that he did not; but that the clerk received £250 for his services in that respect.⁶⁷ [OR] MR. INSP. GEN. HINCKS said he did, but he did not know the precise amount.⁶⁸

MR. MACKENZIE said he received upwards of £300, and it would be a manlier course to put that sum on the estimates.⁶⁹

Some conversation ensued, in which MR. INSP. GEN. HINCKS stated that the emoluments of this officer underwent an investigation by the Retrenchment Committee last session, and they were of opinion that he received too much, but in view of the long time he had held office they did not deem it expedient to interfere with the emoluments of the present incumbent.⁷⁰

The estimate was agreed to; as also was another comprising several pensions to officers of the late Legislative Bodies of Upper and Lower Canada, amounting in the aggregate to £460 13s 4d. Also, sundry other pensions amounting in the gross to £150.

The estimate for Hospital and other charities--in the aggregate £1693 3s 11d--after some general observations as to the expediency of the Government granting aid to such institutions, ... [was] agreed to.⁷¹

On the item of £100 for the Montreal Protestant Orphan Asylum coming up, SIR A. MACNAB asked for a similar sum for Hamilton. He stated that a number of orphans left by immigrants were supported by ladies at Hamilton.⁷²

MR. INSP. GEN. HINCKS objected to increasing such grants but he thought something might be done for the class of persons the Hon. member alluded to from the emigrant fund.⁷³

SIR A. MACNAB urged his claim⁷⁴.

MR. H. BOULTON said he entirely objected to any charities at all, but the sums received were looked upon as matter of right. All charities should be paid from local collections.⁷⁵

On the allowance to the Charitable Institutions of Lower Canada, MR. MACKENZIE said he was not prepared to object to them, but he complained much, that there was not one return made to Government or the House, showing how the money was applied, or what became of it.⁷⁶

MR. H. BOULTON also wished for returns.⁷⁷

Many other items were also presented at railway speed.⁷⁸

To the various public institutions, including medical schools, Literary Societies, Mechanics' Institutes &c., the sum of £285,000 was voted.

The consideration of the item relative to Mechanics' Institutes--comprised in the foregoing aggregate--brought members from all parts of the country to their feet, each claiming an appropriation for the Institutes in their respective districts; their efforts, however, were ineffectual.⁷⁹

On the item of £50 for the Mechanics' Institute of Quebec ... MR. MACKENZIE asked why that of Brantford was an exception from those of other towns. He believed such institutions were productive of immense good.⁸⁰

MR. H. BOULTON did not see why any exceptions should be made.⁸¹

MR. INSP. GEN. HINCKS was in favour of a general measure with proper restrictions.⁸²

Members from all parts of the country put in claims for Mechanics' Institutes, in the several localities.⁸³

On the vote of £1666 being proposed for John Arthur Roebuck, there was a general demand to know for what services.⁸⁴ The items [sic] ... was received with loud ironical cheers, and⁸⁵ the vote was postponed.⁸⁶

Under the head contingent expenses for the administration of justice, estimates amounting in the total to £39194 9s, were passed almost unanimously.⁸⁷

The Committee then proceeded to the disposal of the "miscellaneous items" a large number of which passed, amongst others, one to compensate W.L. MacKenzie⁸⁸ [to the amount] of £250⁸⁹ for his services as director of the Welland Canal in 1835. This last item gave rise to some slight discussion.⁹⁰

MR. W. BOULTON said he protested against the item, and asked for information⁹¹ [and] for what reason that sum should be paid.⁹²

MR. INSP. GEN. HINCKS explained, that it was for services rendered by order of the House, on authority of an Act of Parliament, in investigating the affairs of the Welland Canal.⁹³ [He] said the gentleman had been appointed by an Act of the Upper Canada Parliament, to perform certain services on the Welland Canal, which he had performed.⁹⁴ The other directors of the Welland Canal appointed him as the acting director, and it was for his services whilst engaged in that capacity that this indemnity was proposed to be paid him. It was no matter as to what manner he had performed his duties, or whether he had acted judiciously or not;--that had nothing to do with the question.⁹⁵ The sum he now claimed remained unpaid.⁹⁶

MR. W. BOULTON said that the payment of that sum, if done last year, would have carried no suspicion with it, but the proposal to do it this year, looked as if it was a bonus for some purpose or another.⁹⁷ It appeared that the claim had been allowed by the House of Assembly of Upper Canada, but had not been sanctioned by both branches of the Legislature.⁹⁸ [He] said there had been several persons recommended to be paid by the Parliament, and why were they not to be paid as well as Hon. Mr. Mackenzie? He did not object to paying one individual or another; but did object to opening up a system to which there would be no end; for there were numerous cases of precisely the same kind⁹⁹. If this claim were allowed, it would lead to opening up all claims, sanctioned by but one branch of the Legislature, abandoned by the claimants years ago.¹⁰⁰ He did not see the result if claims which had been brought forward in years gone by, and not allowed, or recommended by a Committee, and rejected by one house or the other were to be brought up now and paid.¹⁰¹

MR. INSP. GEN. HINCKS explained that all these old claims were now before the House.¹⁰² He had investigated this matter, and there were no other claims.¹⁰³ He went into a long history of the Welland Canal matters.¹⁰⁴ The reason why Mr. Mackenzie was to be paid alone of all the Commissioners was, that he was the acting Commissioner. This was the constant practice with Commissioners in Upper Canada.¹⁰⁵ Mr. MacKenzie acted under an act of Parliament, and in common justice ought to be repaid for what he did.¹⁰⁶

MR. MERRITT then rose and went into a long explanation of the circumstances attending the Welland Canal investigation, and of his position with respect to it.¹⁰⁷ [He] explained the reason why the Hon. member for Haldimand did not get his £250. At the time the Committee of the Parliament of Upper Canada recommended it, there had been great prejudice against him (Mr. Merritt) in the House; every one supposing that he had pocketed at least \$10,000, to which extent Mr. Mackenzie declared there had been a defalcation. The Committee which was appointed to inquire into the defalcation had reported that there was none. It was therefore thought that Mr. Mackenzie instead of serving the country anything had plunged it into an expense of thousands for a useless investigation. The hon. member for Haldimand had, however, certainly worked hard and if any man ought to have £250 for hard work, he was the man. He came into the canal office during his (Mr. M's)

absence, and discovered, as he said, the defalcation of \$10,000. At that time the Canal Company had a book-keeper of the name of Beaton, a very worthy man, though he sometimes took a little too much. Mr. Mackenzie told him that he had sent to Mr. Woodruff for a warrant to break open the desks in the office. Mr. Francis Hall came down in the meantime, and Mr. Beaton showed all the Books. Then Mr. Mackenzie said--"oh it's not Mr. Beaton who is guilty of this defalcation; it's John Clarke who has got the money and he has gone away on purpose." Soon after Mr. Clarke returned and what was the result? Clarke was astonished; but when everything was established, no defalcation was found. He (Mr. Merritt) then called a meeting of the Directors and Mr. Mackenzie, pointed out a number of errors in the account, which were admitted; but there was no defalcation. Yet such was the impression made, that Mr. Mackenzie induced a member of the Board to close up the books. Two accountants--Messrs. Burns and Barber--were then appointed. They went over the books, and reported that there was no defalcation whatever--nothing but a few errors. It was about this time that the hon. member went to Lower Canada, as he had since found out about the Post Office; but, as he then understood, to get money for the Welland Canal. It was then said that there were errors to the amount of £300; but no defalcation. The Welland Canal Company then appointed two other accountants, who reported that it was surprising how few errors had occurred, and that they believed few accounts of public works were as carefully kept. Those two gentlemen were Messrs. Murray and Cameron. The hon. gentleman also here read a letter to Mr. Beaton from Mr. Hincks (who had examined the accounts) expressing high praise of Mr. Beaton's bookkeeping. He had made these remarks because the hon. member for Haldimand, soon after he had gone out of the ministry, had written a letter to Lord Elgin about these very things. In that letter it was insinuated that a cousin of his, Mr. Thomas Merritt, had received 15 cs a yard for the work instead of 14 cs, and he read from the evidence taken before the Committee to prove that he had pointed this error out to Mr. Keefer, before any one else. So strong was the prejudice against the company caused by the publication of what were called the Welland Canal papers, that he was for a long time prohibited from appearing for the company; the committee thinking he was Treasurer and Secretary. Nor would they hear him till he had shown that he was not so. While he was in the government he had never obstructed the rules. No doubt the £250 was intended for that hon. member; because the subject had never come up. At the same time he begged to call the attention of the government to the case of Mr. Clarke, who had lost money by this affair and had never been repaid.¹⁰⁸

MR. MACKENZIE then took the floor, and made a general explanation relative to the subject referred to by Mr. Merritt and the circumstance under which he was appointed as director to Investigate the affairs of the Company.¹⁰⁹ [He] replied [to Mr. Merritt] saying he was ready to sign all he had ever written about the Welland Canal and to defy any one, to do what had been already done at Niagara--to bring a suit against him for libel. On that occasion, with a packed jury, which had sat thirty hours, the Plaintiffs only recovered 2s. He also explained that the next grant--Mr. Randal's executors, was for services rendered by that gentleman in going to England and obtaining a law which allowed persons born in the United States to hold property &c.¹¹⁰

MR. MERRITT said the suit brought at Niagara was by Beaton himself, the directors had nothing to do with it.¹¹¹

MR. AT. GEN. LAFONTAINE thought that the hon. member for Haldimand had a curious way of proceeding for his friends; but he thought, nevertheless he ought to be paid what was due to him.¹¹²

MR. INSP. GEN. HINCKS at the close of the harangues, said that the Government had intimated to Mr. Mackenzie their intention of bringing forward the present vote long before his election for Haldimand.¹¹³

The vote was then carried.¹¹⁴

On the vote of £500¹¹⁵ to the representative of one Stephen Randall, a matter of some 16 years standing¹¹⁶ being proposed¹¹⁷--

MR. W. BOULTON¹¹⁸ strongly objected to¹¹⁹ it¹²⁰, and as the sum was also going to Mr. Mackenzie, who is the Executor and legatee of Randall, he hinted that all was not right.¹²¹

During the observations of Mr. B., several of the French members kept up incessant noises, in which MR. CAUCHON took the lead, in ridicule of the opposition to the item.¹²²

MR. W. BOULTON met these noises by calmly stating to the Chair, if the money of hte [sic] people was to be voted away by brute force, as seemed to be the determination of certain members of the House, it would be better to adjourn, especially as it was now late, and the House thin, until they could come to a more honorable determination. (Cries of "pass it," "pass it."--"Carried--carried.")¹²³

MR. INSP. GEN. HINCKS defended the proposition giving the same account of the nature of claim as was unjust [sic] before given by Mr. Mackenzie.¹²⁴ [He] stated that the sum had been sanctioned by several votes of the Upper Canada Assembly, and by the report of a Committee of United Canada, and ought to be paid.¹²⁵

MR. MACKENZIE rose to speak, when the cries were resumed, of "Carried--carried," "you need not speak."¹²⁶

After some more conversation, the item was passed.¹²⁷

Several other items being gone through, the item of £259 15s 9d¹²⁸ [OR] £376 was then moved, to a man named Turton, a balance due for putting up the Parliament buildings at Toronto many years ago.¹²⁹

MR. W. BOULTON declared that the present proceedings were as iniquitous as any he had ever heard of, as disgracing a legislature. He read¹³⁰ the vote¹³¹ reports of the House of Assembly, and of the Legislative Council of Upper Canada shewing that the claim had been investigated at the time, and totally refused,¹³² --and the vote in the assembly was not a party vote.... Now after it had been decided that¹³³ Turton ... had failed in his contract¹³⁴, it was too late to bring the thing up again¹³⁵ and Mr. Parke, a member of the Assembly, and one of the parties appointed to judge of the work at the time of passing the contract, declared he was not entitled to one farthing. (During these remarks, the brute-force cries were louder than before, and the grant passed.)¹³⁶

MR. MACKENZIE read the votes off the bill to pay Mr. Turton, to show that that was not a party vote. The bill had been sent up three times to the Legislative Council.¹³⁷

MR. ROBINSON would vote for the time, as he had already voted twice for the payment, because he believed the claim to be just.¹³⁸

After carrying two more items, the committee rose and reported progress¹³⁹.

MR. BOULTON characterised the proceedings as a mockery, and condemned the conduct of those representatives who were so lavishly throwing away the money of their constituents, without anything to justify their course, and he begged the

House to adjourn.¹⁴⁰

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Taché reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Friday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Taché, seconded by Mr. Duchesnay,
The House adjourned.

APPENDIX: 23 JULY 1851.

[QUESTION AND ANSWER RE: ASSESSMENT LAW.]¹⁴¹

MR. COM. CR. LANDS PRICE enquired of the Ministry whether it is their intention to make any alteration in the Assessment law, so far as regards the assessing merchants goods and stock in trade.¹⁴²

MR. INSP. GEN. HINCKS said some slight alterations would be made; but not of the character contemplated by the hon. gentleman.¹⁴³ It was doubtful whether there would be time to make it during the present session.¹⁴⁴

[QUESTION AND ANSWER RE: INDIAN TERRITORY.]¹⁴⁵

MR. H. BOULTON required of the Ministry whether it was their intention to erect the tetritories [sic] lately ceded by the Indians to the government on the north shore of Lake Superior into a county, and to appoint a County Judge therein.¹⁴⁶

COL. PRINCE was understood to reply that a measure relating to the subject¹⁴⁷ would be laid before the House in a few days.¹⁴⁸

FOOTNOTES: 23 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: GLOBE, 24 July 1851, HAMILTON SPECTATOR, 26 July 1851, which copied from GLOBE, PILOT, 29 July 1851, OTTAWA CITIZEN, 2 August 1851; BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 1 August 1851.
2. NORTH AMERICAN, 1 August 1851.
3. IBID.
4. BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 1 August 1851, noted the following in identical accounts: "All were in favor of granting aid to the Indians, but differed from the Government plan. The only gentlemen who stood up against going into committee were Messrs. H.J. Boulton and Hopkins. The standing up of these two gentlemen alone was the signal for loud laughter. A member made an observation which was inaudible to the reporters; but which Mr. Boulton denominated with warmth as 'most insolent.' Mr. B. said the expression was 'two scare-crows'."
5. NORTH AMERICAN, 1 August 1851.
6. IBID.
7. The following papers reported the debate on this matter in identical accounts: GLOBE, 24 July 1851, HAMILTON SPECTATOR, 26 July 1851, which copied from GLOBE, MONTREAL GAZETTE, 29 July 1851, PILOT, 29 July 1851, OTTAWA CITIZEN, 2 August 1851; BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 1 August 1851.
8. MONTREAL GAZETTE, 29 July 1851.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 1 August 1851, reported that the motion was lost 38 to 15.
15. MONTREAL GAZETTE, 29 July 1851.
16. IBID.
17. IBID.
18. IBID.
19. NORTH AMERICAN, 1 August 1851.
20. IBID.
21. IBID.
22. MONTREAL GAZETTE, 29 July 1851.
23. IBID.
24. IBID.
25. BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 1 August 1851, reported that the motion was lost 51 to 9.
26. MONTREAL GAZETTE, 29 July 1851.
27. The following papers reported the debate on this matter in identical accounts: MONTREAL GAZETTE, 28 July 1851, MONTREAL TRANSCRIPT, 29 July 1851; GLOBE, 29 July 1851, and BATHURST COURIER, 5 August 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 25 July 1851, HAMILTON SPECTATOR, 30 July 1851, which copied from PATRIOT, of unknown date, PILOT, 31 July 1851, NORTH AMERICAN, 1 August 1851, and LA MINERVE, 31 July 1851.
28. HAMILTON SPECTATOR, 30 July 1851.
29. IBID.
30. MONTREAL GAZETTE, 28 July 1851.
31. IBID.

32. HAMILTON SPECTATOR, 30 July 1851.
33. IBID.
34. MONTREAL GAZETTE, 28 July 1851.
35. HAMILTON SPECTATOR, 30 July 1851.
36. MONTREAL GAZETTE, 28 July 1851.
37. HAMILTON SPECTATOR, 30 July 1851.
38. IBID.
39. MONTREAL GAZETTE, 28 July 1851.
40. IBID.
41. NORTH AMERICAN, 1 August 1851.
42. MONTREAL GAZETTE, 28 July 1851.
43. MONTREAL TRANSCRIPT, 29 July 1851.
44. MONTREAL GAZETTE, 28 July 1851.
45. HAMILTON SPECTATOR, 30 July 1851.
46. MONTREAL GAZETTE, 28 July 1851.
47. IBID.
48. IBID.
49. HAMILTON SPECTATOR, 30 July 1851.
50. MONTREAL GAZETTE, 28 July 1851.
51. HAMILTON SPECTATOR, 30 July 1851.
52. IBID.
53. MONTREAL GAZETTE, 28 July 1851.
54. HAMILTON SPECTATOR, 30 July 1851.
55. MONTREAL GAZETTE, 28 July 1851.
56. IBID.
57. HAMILTON SPECTATOR, 30 July 1851.
58. MONTREAL GAZETTE, 28 July 1851.
59. HAMILTON SPECTATOR, 30 July 1851.
60. MONTREAL GAZETTE, 28 July 1851.
61. BATHURST COURIER, 5 August 1851.
62. MONTREAL GAZETTE, 28 July 1851.
63. BATHURST COURIER, 5 August 1851.
64. IBID.
65. HAMILTON SPECTATOR, 30 July 1851.
66. BATHURST COURIER, 5 August 1851.
67. IBID.
68. HAMILTON SPECTATOR, 30 July 1851.
69. IBID.
70. IBID.
71. BATHURST COURIER, 5 August 1851.
72. HAMILTON SPECTATOR, 30 July 1851.
73. IBID.
74. IBID.
75. IBID.
76. MONTREAL GAZETTE, 28 July 1851.
77. IBID.
78. IBID.
79. BATHURST COURIER, 5 August 1851.
80. HAMILTON SPECTATOR, 30 July 1851.
81. IBID.
82. IBID.
83. IBID.
84. MONTREAL GAZETTE, 28 July 1851.
85. HAMILTON SPECTATOR, 30 July 1851.
86. MONTREAL GAZETTE, 28 July 1851.

87. BATHURST COURIER, 5 August 1851.
88. IBID.
89. HAMILTON SPECTATOR, 30 July 1851.
90. BATHURST COURIER, 5 August 1851.
91. HAMILTON SPECTATOR, 30 July 1851.
92. MONTREAL GAZETTE, 28 July 1851.
93. IBID.
94. HAMILTON SPECTATOR, 30 July 1851.
95. BATHURST COURIER, 5 August 1851.
96. HAMILTON SPECTATOR, 30 July 1851.
97. MONTREAL GAZETTE, 28 July 1851.
98. BATHURST COURIER, 5 August 1851.
99. HAMILTON SPECTATOR, 30 July 1851.
100. BATHURST COURIER, 5 August 1851.
101. MONTREAL GAZETTE, 28 July 1851.
102. IBID.
103. HAMILTON SPECTATOR, 30 July 1851.
104. MONTREAL GAZETTE, 28 July 1851.
105. HAMILTON SPECTATOR, 30 July 1851.
106. BATHURST COURIER, 5 August 1851.
107. MONTREAL GAZETTE, 28 July 1851.
108. HAMILTON SPECTATOR, 30 July 1851.
109. BATHURST COURIER, 5 August 1851.
110. HAMILTON SPECTATOR, 30 July 1851.
111. IBID.
112. IBID.
113. MONTREAL GAZETTE, 28 July 1851.
114. HAMILTON SPECTATOR, 30 July 1851.
115. IBID.
116. MONTREAL GAZETTE, 28 July 1851.
117. HAMILTON SPECTATOR, 30 July 1851.
118. IBID.
119. MONTREAL GAZETTE, 28 July 1851.
120. HAMILTON SPECTATOR, 30 July 1851.
121. MONTREAL GAZETTE, 28 July 1851.
122. IBID.
123. IBID.
124. HAMILTON SPECTATOR, 30 July 1851.
125. MONTREAL GAZETTE, 28 July 1851.
126. IBID.
127. HAMILTON SPECTATOR, 30 July 1851.
128. IBID.
129. MONTREAL GAZETTE, 28 July 1851.
130. IBID.
131. HAMILTON SPECTATOR, 30 July 1851.
132. MONTREAL GAZETTE, 28 July 1851.
133. HAMILTON SPECTATOR, 30 July 1851.
134. MONTREAL GAZETTE, 28 July 1851.
135. HAMILTON SPECTATOR, 30 July 1851.
136. MONTREAL GAZETTE, 28 July 1851.
137. HAMILTON SPECTATOR, 30 July 1851.
138. IBID.
139. IBID.
140. MONTREAL GAZETTE, 28 July 1851, which noted that "the adjournment took place about a quarter to 12."

141. The following papers reported this question in identical accounts: BRITISH WHIG, 24 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, PILOT, 24 July 1851, MORNING CHRONICLE, 24 July 1851, MONTREAL GAZETTE, 24 July 1851, LA MINERVE, 24 July 1851; GLOBE, 24 July 1851, HAMILTON SPECTATOR, 26 July 1851 which copied from GLOBE, PILOT, 29 July 1851, OTTAWA CITIZEN, 2 August 1851; BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 1 August 1851.
142. BRITISH WHIG, 24 July 1851.
143. NORTH AMERICAN, 1 August 1851.
144. GLOBE, 24 July 1851.
145. The following papers reported this question in identical accounts: BRITISH WHIG, 24 July 1851, MONTREAL TRANSCRIPT, 24 July 1851, PILOT, 24 July 1851, MORNING CHRONICLE, 24 July 1851, MONTREAL GAZETTE, 24 July 1851, LA MINERVE, 24 July 1851; GLOBE, 24 July 1851, HAMILTON SPECTATOR, 26 July 1851, which copied from GLOBE, PILOT, 29 July 1851, OTTAWA CITIZEN, 2 August 1851; BRITISH COLONIST, 25 July 1851, and NORTH AMERICAN, 1 August 1851.
146. BRITISH WHIG, 24 July 1851.
147. GLOBE, 24 July 1851.
148. NORTH AMERICAN, 1 August 1851.

THURSDAY, 24 JULY 1851.

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Payments by the
Clerk of the
House.

MR. Speaker laid before the House,--A Summary of all the payments made by the Clerk of this House for Contingencies and otherwise, since the commencement of the present Session; prepared in pursuance to an Order of the House of the 22nd instant; which was read, as followeth:--

Paid for Indemnity to Members.	£ 948	5	4
Paid to Officers and Servants of the House . .	2018	11	4
Paid to Witnesses.	58	17	6
Paid for the Library	97	5	5
Paid for Printing.	3786	11	3
Paid for Stationery and Newspapers	174	4	1
Paid for Postage	126	4	11
Paid for sundry Contingent disbursements . . .	104	11	2

Clerks' Office, 24th July 1851.

Thomas Vaux,
Accountant.

Wm. B. Lindsay,
Clerk, Assy.

Message from
His Excellency.

The Honorable Mr. Price, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by

His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Indians in
Lower Canada.

ELGIN AND KINCARDINE.

The Governor General taking into consideration the destitute condition of certain Indian Tribes in Lower Canada, recommends to the Legislative Assembly the expediency of setting apart a Tract of Land from the Public Domain for their use and support, and also an appropriation of money, not to exceed One thousand pounds per annum, from the Consolidated Revenue of the Province for the same object.

Government House,

Toronto, 24th July, 1851.

Ordered, That the said Message be referred to the Committee of the whole to consider the expediency of providing out of the Consolidated Revenue Fund of the Province, an annual appropriation for the use of the Indians in Lower Canada.

Petitions
brought up.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Méthot,--The Petition of H.J. Noad, Esquire, and others, merchants, of the City of Quebec, and others.

By Mr. Morrison,--The Petition of Alexander McRae and others, Members of the Wesleyan Methodist Church, of the City of Hamilton.

Petition read.

Pursuant to the Order of the day, the following Petition was read:--

Of E. Boudreau and others, Branch Pilots for and above the Harbour of Quebec; praying that the application of certain unlicensed Pilots for the amendment of the 15th Section of the Act 12 Vic. cap. 117, be not granted.

Petition
referred.

Ordered, That the Petition of the Honorable George Crookshank, of the City of Toronto, Esquire, be referred to the Standing Committee on Standing Orders.

Quebec Incorporation Bill.

The Honorable Mr. Chabot reported from the Select Committee on the Bill further to amend the Ordinances incorporating the City of Quebec, and another reference, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Official Salaries Seizure Bill.

Mr. Scott of Two Mountains reported from the Special Committee on the Bill to enable the Judgment Creditors of Public Officers to seize a portion of the Salaries and Emoluments of such Officers in certain cases, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Justices of the Peace (U.C.) Fees Bill.

Mr. Notman reported from the Select Committee on the Bill to establish an uniform rate of Fees to be received by Justices of the Peace in Upper Canada, and

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to repeal the Act of Upper Canada passed in the fourth year of the Reign of King William the Fourth, chapter seventeen, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Saturday next.

Game Act Amendment Bill (L.C.).

Mr. Lemieux reported from the Select Committee on the Bill to amend the Acts for the protection of Game and Wild Fowl therein mentioned, as regards Lower Canada, and another reference, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

First Report of Committee on Privileges and Elections.

The Honorable Mr. Baldwin, from the Standing Committee on Privileges and Elections, presented to the House the First Report of the said Committee; which was read, as followeth:--

Your Honorable House having been pleased, by Your Order of the sixteenth day of July instant, to refer it to this Committee to consider the expediency of rescinding, in whole or in part, the Forty-first Rule of Your Honorable House, Your Committee have directed their attention to the terms in which the said Rule is framed, and to the probable operation of the same upon the proceedings of Your Honorable House; and beg leave to submit the following remarks as the result of their investigations:--

The Rule in question is thus expressed: "That the previous Question, until it is decided, shall preclude all amendment and debate of the main Question; and shall be in the following words: 'Shall the main Question be now put?'"

Your Committee find, upon reference to the Journals of the Legislative Assembly for 1841, (page 43), that the foregoing Rule was adopted, together with other Orders for regulating the practice of Your Honorable House, at the first Session of the United Provincial Parliament; and they have ascertained that it was a transcript of the Rule formerly existing in the Commons House of Assembly of Lower Canada, upon this subject. (See Lower Canada Assembly Journals, 1793, p. 94). The Rules of the Commons House of Assembly of Upper Canada contained no provision respecting the Previous Question, the practice concerning which, in that House,

was in every respect conformable to the usages of the Imperial House of Commons.

The usage of the Imperial House of Commons regarding the Previous Question, the terms in which it should be framed, and the proper occasions for its use, are thus succinctly stated by May, in his work on the Law of Parliament (pages 173, 174):--

"The Previous Question is an ingenious method of avoiding a vote upon any Question that has been proposed, but its technical name does little to elucidate its operation. When there is no debate, or after a debate is closed, the Speaker puts the Question, as a matter of course, without any direction from the House; but, by a motion for the Previous Question, this act of the Speaker may be intercepted and forbidden. The words of this motion are 'That this Question be now put;' and those who wish to avoid the Question, vote against the Previous (or second) Question, which, if resolved in the negative, prevents the Speaker from putting the main Question as usual. It may, however, be brought forward again on another day, as the negation of the Previous Question only binds the Speaker not to put the main Question at that time. If the Previous Question be put, and resolved in the affirmative, no words can be added to or taken from the main Question by amendment; nor is any further debate allowed, or motion for adjournment, before the Question is put, as the House have resolved that the Question be now put, and it must accordingly be put at once to the vote. In reference to this proceeding, it may be remarked, that, according to the strict rule of debate, each member should speak directly to the Question before the House; and supposing this to be observed, the debate upon the Previous Question would be limited to the propriety of putting the Question now, or at a future time; but, practically, the main Question is discussed throughout.* If the Rule were not evaded in this manner, the main Question would be altogether excluded from discussion, merely because another Question had been interposed; although, by affirming the Previous Question, the House would have agreed that the main Question was a proper one to have been offered for their decision."

From the foregoing elucidation of the character of the Previous Question, and the usage of Parliament concerning it, it appears that the point of difference between the Imperial practice, and that of Your Honorable House, under your Forty-first Rule, consists in this, that in England, the mere opposition of the Previous Question does not preclude debate upon the main Question, but it is only when the Previous Question has been proposed and carried, that debate on the main Question necessarily terminates; either, by the immediate putting of the main Question, (if the Previous Question "That the Question be now put" be affirmed,)--or, by the House resolving the Previous Question in the negative, and thus declaring its determination that the Question shall not be "now put;" as, if not to be "put," it, of course, cannot be debated any further, no debate on any Question being permissible, except as a means of arriving at a correct conclusion upon some matter thereby propounded for the action of this House: And when the House resolve that such Question shall not be "put" by the Speaker, there can, of course, be no object in allowing of debate, which in such case could only operate as an impediment to the disposal of other business.

With reference to this difference between the practice of the House of Commons and that of Your Honorable House, under the Forty-first Rule, Your Committee have been unable to discover any reason whatever, either to justify or explain it. The peculiar value of the Previous Question, as a form of Parliamentary procedure intended to facilitate the House in expressing its precise opinions

*See "Mirror of Parliament," 15th Sept., 1831. Corn Importations.--(In this case the Previous Question was proposed and negatived.)--13th February, 1834. Baron Smith's case;--(In this case the Previous Question was proposed and carried.) In both instances the debate on the main Question proceeded as before, notwithstanding the proposition of the Previous Question.

with reference to any proposition that may be submitted for its consideration, consists in this, that it affords an opportunity for a majority of the House, if they deem such a course necessary or proper, to evade a direct vote, or declaration of their sentiments, upon a Question which they may regard as ill-timed or inexpedient, either to affirm or reject. It is clearly not intended to suppress discussion upon a proposition, else, would it be in the power of any two Members, by moving and seconding the Previous Question, on any occasion, to stop all debate thereupon; although the House might afterwards, by affirming the Previous Question, tacitly admit that the main Question had been properly proposed for their decision, and was therefore, necessarily, a proper one to be discussed.

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Upon investigating the origin of the discrepancy between the Imperial practice and the Provincial Rule, Your Committee have discovered that a Manual, in use in the Congress of the United States, and commonly known as "Jefferson's Manual," (from its having been digested and compiled by the late President Jefferson, professedly from Hatsell and other English authorities,) lays down the doctrine (Jefferson's Manual, page 73,) that the Previous Question is intended to suppress discussion, as well as to avoid a vote. For his statements on this subject, generally, Mr. Jefferson refers to Hatsell as his authority; but on examining Hatsell, it is evident that his meaning (though somewhat obscurely expressed) has been certainly misunderstood; and that the English practice in the use of the Previous Question was the same in Hatsell's time, as we have seen on reference to May, that it is at present. (See 2 Hatsell, page 122.) Jefferson's Manual being the first attempt to reduce the elaborate work of Hatsell to the compass of a single volume, has been extensively circulated, and made use of by later writers in the preparation of similar works. Thus, his mistake regarding the Previous Question has led others into error.

The first Parliamentary Manual prepared in Upper Canada, and known as Thompson's Manual, and also, that prepared by your present Deputy Librarian, Mr. Alpheus Todd, which latter has been in general use in our Provincial Legislature since the Union, contain a repetition of the same error on the Previous Question, in consequence, as Your Committee suppose, of the compilers both adopting in this instance, the very words used by Mr. Jefferson in reference to this form of Question. (Thompson's Manual, page 44: Todd's Parliamentary Law, page 134.)

The Previous Question, though sufficiently simple when fully comprehended, and, in the opinion of Your Committee, admirably adapted for the purpose for which it was designed, is, from its apparent complexity, not generally understood. It is not, therefore, surprising that writers should fall into error when describing its operation, as it is only by its actual working, that a thorough knowledge of its use and value can be obtained.

Your Committee are of opinion, that the Previous Question is an excellent auxiliary in the proper conduct of Parliamentary business and debate, when applied to its legitimate object. In order, therefore, that the correct practice with respect to it, as such practice obtains in the Imperial Parliament, should be followed in Your Honorable House, Your Committee would respectively recommend, that the Forty-first Rule be altered, by the omission of the words "and debate."

This will, in their judgment, render it strictly conformable to that practice, and obviate any difficulties which might otherwise result, either from the retention of the Rule in its present shape, or from its modification in a manner less consonant with the usages of the Imperial Parliament.

Ordered, That the said Report be printed for the use of the Members of this House.

On motion of Mr. Sherwood of Brockville, seconded by Mr. Boulton of Toronto,

Wood's Estate
Relief Bill.

time to-morrow.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to afford relief to the Estate of the late Alexander Wood," be read a second

Stevens' At-
tainer Rever-
sal Bill.

certain of his estates, and for other purposes therein mentioned," be read a second time to-morrow.

The Honorable Mr. Price moved, seconded by the Honorable Mr. Baldwin, That the engrossed Bill from the Legislative Council, intituled, "An Act to reverse the Attainder of Aaron Stevens, and avoid the forfeiture of

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, acquainted the House that His Excellency having been informed of the purport of the Bill, recommends it to the consideration of the House.

Ordered, That the Bill be read a second time to-morrow.

Toronto House
of Industry
Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the House of Industry of Toronto," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 23. After "John" leave out "James."

Press 3, line 22. After "second" leave out "Monday" and insert "Wednesday."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Sherwood do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Hudson's Bay
Company.

of this House.

Ordered, That the Return to the Address relative to the Hudson's Bay Company, which was presented on the 9th June last, be printed for the use of the Members

Montmorency
Bridge.

Mr. Flint, from the Committee to consider the expediency of authorizing the Trustees of the Quebec Turnpike Roads to issue Debentures to an amount not exceeding Five thousand pounds, for the purpose of buying and rebuilding the Montmorency Bridge, reported a Resolution; which was read, as followeth:

Resolved, That the Quebec Turnpike Road Trustees be authorized to issue Debentures to an amount not exceeding Five thousand pounds, for the purpose of purchasing and rebuilding the Montmorency Bridge.

The said Resolution, being read a second time, was agreed to.

Montmorency
Bridge Bill.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Cauchon have leave to bring in a Bill to authorize the Trustees of Quebec Turnpike Roads to issue Debentures to a limited amount, for the purpose of buying and rebuilding the Montmorency Bridge.

Bill relating
to Rectories.

The Order of the day for the second reading of the Bill to repeal so much of the Imperial Act 31 Geo. 3

*cap. 31, as relates to Rectories and the presentation of Incumbents to the same, being read;*¹

MR. MORRISON said the object of the Bill was to repeal so much of the Act of 1791 as authorises the establishment of Rectories in this Province. The endowing them with the public lands and the power of presenting ministers on the part of the Crown to the same. The Parliament of 1791 in anticipation of the very results that have arisen from the exercise of the power created by these clauses, very wisely declared, that if the people of this Province at any time felt it expedient to deprive the government of the authority conferred, they had a perfect right to do so. It is much to be regretted, that prior to 1836 the Upper Canada Legislature had not repealed those claims and he (Mr. Morrison) believed that if the attention of Parliament had been directed to them they would have been erased from the statute-book, and much of that intense and hostile feeling which has existed since the unfortunate and unwise act of Sir John Colborne would have been avoided--he was opposed to the slightest connection between any Church and the State--the endowment of rectories and the appointment of ministers to particular churches was one of the strongest ties that could possibly exist between the state and the church, and so long as these clauses remained part of our constitution, it was in vain for parties to deny the existence of a state religion in this country. (Hear, hear.) Very few, indeed, argue in favour of a state religion in this country, peopled as it is with persons of all creeds and from all nations, equally entitled to the favour and protection of the Government--and he did not believe there was a person in the House who would stand up in defence of a state religion in this Province--under the circumstances he was not asking for anything extraordinary by the present Bill. The Act of 1791 anticipated the crisis at which we are arrived, and the Colonial Secretaries from time to time, expected such a state of feeling as now exists; and as evidence of the opinion of the Imperial Government, he would read an extract from a dispatch of Lord Glenelg's in 1835--"It is not difficult to perceive the reasons which induced Parliament in 1791 to connect with a reservation of land for ecclesiastical purposes the special delegation to the Council and Assembly by the right to vary that provision by any bill, which, being reserved for the signification of His Majesty's pleasure, should be communicated to both Houses of Parliament for six weeks before that decision was pronounced. Remembering it should seem how fertile a source of controversy ecclesiastical endowments had supplied throughout a large portion of the Christian world, and how impossible it was to foretel [sic], with precision, what might be the prevailing opinions and feelings of the Canadians on this subject at a future period, Parliament at once secured the means of making a systematic provision for a Protestant Clergy, and took full precaution against the eventual inaptitude of that system to the more advanced stages of the society than in its infant state, and of which no human foresight could divine the more mature and settled judgment. In the controversy, therefore, respecting ecclesiastical endowments, which at present divides the Canadian Legislature, I find no unexpected element of agitation, the discovery of which demands a departure from the fixed principles of the constitution: but merely the fulfilment of the anticipations of Parliament in 1791, in the exhibition of that variety of opinion, for which the Statute of that year may be said to have made a deliberate preparation." He considered the repeal of the clauses relative to the Rectories as necessary to set at rest all doubts on the part of a large majority of the people of this country, as one remedy to allay that uneasiness and irritation which pervades the public mind on the subject of endowments from the public domain for religious purposes. (Hear, hear.) He (Mr. M.) has often been told that no Government would dare to commit such an act of folly as the erection of a further number of Rectories, and that there was, in fact, no necessity for the bill.² He embraced that opinion³, but these clauses had re-

mained dormant for 50 years, and all at once⁴ Lord Colborne⁵, a Governor⁶, without any notice created these rectories⁷--without the slightest apprehension on the part of the people of the Province that such an act was even under consideration⁸ and it was therefore better to take precaution against it. He went on to show, by quotations from Lord Glenelg that the British government at the time of the creation of the rectories, was not in favour of that proceeding, and that that nobleman admitted the right of the people of the country to repeal these laws. Notwithstanding the advice of Lord Glenelg however Sir John Colborne on the eve of his departure⁹, while his successor was on his way from New York,¹⁰ without any notice to the people granted these endowments.¹¹ He (Mr. Morrison,) asked for no uncommon course to be taken. Lord Goderich, in a public dispatch in November, 1831, in reference to the Reserves, specifically recommended the repeal of the clauses respecting the Rectories--in fact the course which he (Mr. R.) [sic] now desired the House should take--it would have been well for this country, if the Gov. of that day had adopted his suggestion; but irresponsible advisers thought otherwise. This wise suggestion was kept sealed from the people--the desire and intentions of the Imperial Government thwarted,--and the result of all, which has been that the peace of the Province has been disturbed, its prospects retarded, and the evils of religious strife spread far and wide through the country. Even supposing that the 57 Rectories had been established in a mere legal sense, he would ... have pressed his bill; but he would shew that they were constituted in secret, without authority,--against the implied and direct desire of the Imperial Government--against the wishes of the Local Legislature, and in violation of good faith and the constitutional rights of the people, the Rectories were entitled to no favor,--a case being made out, not only for the repeal of the law, but for the abolition of the Rectories themselves. The first announcement the people had, that these Rectories were established, was after the departure of Sir J. Colborne--even the Colonial Secretary [Lord Glenelg] was ignorant of the fact¹². The first thing that Lord Glenelg knew of that endowment was from the public press in London.¹³ We find him [Lord Glenelg] writing to Sir F. Head, stating that the subject had caused considerable excitement and notice in England, and that he had received no intimation of the circumstances although considerable time had elapsed. Sir Francis replied that the patents are all dated after his arrival to N. York, (hear, hear) --that the feeling which the Rectories had created throughout the Province was one of the greatest difficulties to him in the Government, (hear, hear)¹⁴ and that they had been created without any expression of the desire of the Imperial government or any notice of what was done.¹⁵ He enclosed also the Resolutions of their House of Assembly, one of which, he shews, desired the abolition of the Rectories, and which was only rejected by a small majority. The 2d Resolution stated that for 50 years nothing had been done, and that the inhabitants had given reason to believe no attempt of the kind would have been made; and by the 4th Resolution, they unequivocally condemn the proceeding, and they refuse to repeal the patents at that time,--but if the House had known, as the Hon. Mr. Morris stated in his letter to Lord Glenelg in June 1837, that no direct authority had been given by the Imperial Government for the establishment of the Rectories, the Legislature would have abolished them, but merely out of respect for the Home Government--from whom they thought the instructions came, they refrained from doing so. Lord Glenelg, in his communication to the English Attorney General, in April, 1837, stated that Sir John Colborne never communicated his intention of establishing the Rectories to the Imperial Government, nor even reported the same when done, and that the records of the office contained no despatch alluding to them. Doubtless, if any such intimation had been given, the Colonial Secretary would have taken steps to have prevented the consummation of so unjust an act.¹⁶ The law-officers of the Crown under these circumstances had come to the conclusion that the endowments were illegal and they thought it right to apply to the Bishop for

a report on the subject.¹⁷ Reference was made to the Bishop of Toronto--he made a report to the Colonial office of the ground upon which he justified the act, and he (Mr. M.) would ask the House to examine that report--they would then discern what were the pretensions of the Bishop¹⁸. That report stated that the rectories had been erected on instructions to the Governors under George 3rd and the Prince Regent. He (Mr. Morrison) contended that instructions thirty or forty years old, could have no constitutional authority. The same despatch sneered¹⁹ with the greatest contempt at the Church of Scotland and all other dissenters for imagining they were on equal terms with his Church; [the report] refers to the instructions of Lord Bathurst as the authority more than sufficient to erect in his opinion the small number of 57 Rectories, to which, as he said, they were unfortunately limited²⁰--the words "small number," having reference to an order in Council made by the Bishop himself, by Mr. Baby [sic] and by Chief Justice Campbell, for the erection of two rectories in each township.²¹ He talks of the endowments as insignificant fractions of what the Rectories ought to have, and as being merely acceptable to supply the Rector with firewood. (Hear, hear.) 2,000 acres for firewood and distant some 20 miles. He defends Sir J. Colborne and says he manifested a great anxiety to complete the fraud upon the province when his recall was known, and as the Bishop also says to perform an act which might injure the popularity of his successor; but did Sir John and his advisers feel what would be the effect of that act. The Bishop further endeavors to show what he terms the illiberal and intemperate hostility of the Kirk, and her unjust aggressions in putting herself on an equal footing with the State Church and talks contemptuously of discovering that they had rights and privileges.--But, said (Mr.M.) the laymen have discovered they have privileges and the people of Canada will exercise them and compel their acknowledgment.--And upon what ground did the apologist of these doctrines defend them?--not upon the instructions required by the act from her Majesty or her minister; but upon instructions derived from the minister of the Prince Regent in 1818 and the minister of George IV in 1825; not sent to Sir J. Colborne but to his predecessors, so that between the instructions and the carrying them into execution three sovereigns in one case and two sovereigns in the other had gone to their tombs, the party responsible for the advice he then gave his sovereign, was also removed to another world, the Governor's [sic] who received these instructions had been recalled, and yet we are told that these Rectories were constitutionally and legally constituted under such instructions, and the fiction that the King never dies, and the acts of the Third and Fourth Georges and the advice of Lord Bathurst are the acts and advice of Queen Victoria and Lord Glenelg. They may be legal in the eye of a mere lawyer, but to common understandings it was absurd to argue such nonsense. He (Mr. M.) maintained it was unconstitutional to act upon despatches of 20 years old, (hear, hear,) and particularly where very recent despatches evidently established a contrary intention, and when the whole aspect and position of Provincial affairs was entirely changed. Is the country to permit a law to remain on the statute-book fraught with so much evil--capable of being used with so much facility?--he (Mr. M.) believed not. There are parties in this Province, who if they had been passed, would not carry out the minutes of Council of Nov. 1825, made by Chief Justice Campbell, Mr. Bailey, and the Bishop, in which they recommended to the Governor that without delay a division of the Province into Rectories and Parishes be made, in every township, each endowed with 3,300 acres of the public lands. It was the duty of the House not to hesitate on such a point, and at once to relieve the public mind from any anxiety on the subject. (Hear, hear.) Mr. M. went on to show that from the moment it was known that the Rectories were established,²² by the act of Sir John Colborne,²³ an almost universal protest was made against them by the people. He referred to the delegates who met at Cobourg in April, 1837, to their remonstrance and resolution

that these clauses were an infringement of their right; to the letter of the hon. Mr. Morris to Lord Glenelg in July 1837, in which he stated with reference to these Rectories that his countrymen felt that a mark of inferiority had been placed upon them, and they moved it be unworthy of their country and their Church did they rest satisfied. He asserted that from that period to the present time, that same²⁴ dissatisfaction²⁵ existed and would exist until the exciting clauses were removed, that the only mode of allaying that feeling and impressing the country that members were sincere, was by²⁶ voting for²⁷ the passage of the bill.²⁸

MR. MORIN the SPEAKER having informed the hon. member the half hour was up--²⁹

MR. MORRISON said he was aware of it, and would ask a few seconds to conclude (yes, yes) and he would do so by asking the members of the opposition to support the Bill, and he appealed to them in the name of a nobleman in whom they had confidence, and to whose judgement he believed they would depend; he is at present, and always was the champion of the Church of England--he alluded to Lord Stanley, now Earl of Derby,--when the subject was before the House of Commons, he held these wise and just sentiments³⁰. He concluded by an eloquent extract from Lord Stanley, in favour of the principle of perfect religious equality in Canada³¹: "That if any exclusive privileges be given to the Church of England, not only will the measure be repugnant to any principle of sound legislation, but contrary to the spirit and intention of the act of 1791, under which the Reserves were made for the Protestant Clergy. I will not enter further into it at present, except to express the hope that the House will guard Canada against the evils which religious dissention have already provoked in this country and in Ireland, when we have examples to teach us what to shun: we have seen the evil consequences of this system at home--God forbid we should not profit by experience, and especially in legislating for people bordering the country, where religious intolerance and religious exclusions are unknown; a country to which Parliament looked in passing the act of 1791 on all the great men who argued the question when expressly declared. It is important that His Majesty's Canadian subjects should not have occasion to look across the narrow border that separates them from the United States, and see any thing there to envy." Let hon. members reflect upon these words of Lord Stanley, they are full of meaning. (Hear, hear.) In conclusion he (Mr. M.) would also appeal to them and remind the house in the words of the Bishop of Toronto in his late letter, to Lord John Russell. "That the principles of entire toleration are too well understood and established in the present age to admit of their infringement;" and in the words of the same personage, on the same occasion--"we claim equality and freedom from oppression--we claim that our just rights and privileges may be henceforth secured and respected and that we may no longer be compelled by unwise legislation and unjust preferences to remain as at present in a condition of inferiority to other religious denominations." (Hear, hear.) He then moved, seconded by MR. FLINT, the second reading of the Bill.³²

MR. J. CAMERON of Cornwall opposed the bill. He complained that an attempt was being made to get rid of the Rectories by a side wind instead of bold, deliberate, straight forward legislation³³ [and he] said the hon. member who had moved this bill, when he came to reflect, would be convinced that all his talent and labour might have been better spent than in drawing up that small piece of paper. If it had been the sole object to prevent the erection of new rectories, and not to create political capital, the hon. member would hardly have gone into the whole history of the endowments. Nor would he have inserted the proviso which he found in this Act, "provided that nothing in this act shall be

taken to legalize any rectories hitherto erected." That would destroy the present rectories, and he called upon the hon. members if they desired to take that course, to say so openly and fairly. For was it right, while that hon. member had a case actually pending before the Court of Chancery in which the hon. member was himself concerned, that a law should be passed to oblige the Court to decide in the manner sought by the hon. member?³⁴ Under the circumstances the house ought not to interfere.³⁵ If the bill became law, did the hon. member believe that the rectories would be abolished, or the presentations to them placed in other hands? Why then did he not tell the House what the operation³⁶ [and] effect³⁷ of the bill would be?³⁸ Did he tell, or can he explain to whom the presentation to these rectories would be if this bill were passed?³⁹ His desire was, no doubt, to destroy the rectories altogether, and the effect of the bill, if carried would be to destroy them. He then went into a technical argument to prove the truth of his view of the case, and to show that if the government were deprived as to the rectories already erected, of the present right of presentation under the statute, that right would not be under the common law to the Crown, or the Lord Chancellor.⁴⁰ If the result of the Appeal to the Court of Chancery of which the Inspector General had given notice, should establish that these rectories were legally created, the right of presentation being in the Crown, if this bill were passed, no one would have the right of presentation. The Church of England was just as willing as the author of this bill that no more rectories should be created under the authority of the existing law, but they would never give up their right to set apart their own lands for rectories.⁴¹ If any private individual had erected a rectory that too would be destroyed in the present bill. The hon. member had said that the votes on this bill would test the sincerity of hon. members of the Church of England, who declared that they did not want their church erected into a state church; but the hon. member must know, that with regard to the future, the hon. members of whom he spoke were ready to provide that no more Rectories should be established by law.⁴² The members on this side of the house were not disposed to prevent the second reading of this bill if it were intended to confine it to the future. The hon. gentleman concluded by moving that the bill be referred to a select committee⁴³. He would not oppose the second reading of the bill; but he would do so unless it were allowed to go to a select committee, in order to be amended so as to save passed endowments, and to provide for the⁴⁴ future⁴⁵ presentations being placed in the hands of the church authorities.⁴⁶ He declared, too, that the Church of England claimed no superiority; and merely desired to worship God in their own way, without interfering with others, or interference from others.⁴⁷

MR. INSP. GEN. HINCKS in allusion to the outcry on this subject made by the Reform Press, declared he was ready to announce the view of the subject which he took, and by which he was ready to stand. He thought the erection of these Rectories was a most unfortunate act, which had doubtless created great dissatisfaction. At the same time, he did not think it judicious to bring up this subject before the question of the Reserves was settled. Now he had had a great deal of conversation with a number of gentlemen opposed to these Reserves and he found there was little difference between them and him; nor did he believe there was any real difference of opinion in the House.⁴⁸ So far as he knew there was no desire among any party in the country to destroy these rectories if they had been illegally erected⁴⁹ and that the question ought to be tested in courts of law. In the course of his observations, Mr. Hincks stated that the present bill was a mere matter of feeling⁵⁰. As to the creation of future rectories, every one admitted that nothing of the kind could ever be done, the law is a dead letter⁵¹ and, as it was well known that though the Government nominally presented to the rectories the real nomination rested with the Bishop. He concluded by proposing that the views of the hon. member from Cornwall should be

carried out in the bill; but at the same time he preferred that after the second reading ... the bill should go to committee of the whole, instead of a select Committee, as a more satisfactory reference⁵² and he thought that the proposed Committee was unfair. The attorney General East had had a strong repugnance to this question being taken up for he thought the government might have carried a bill that would have satisfied all parties.⁵³ He hoped the bill would declare the perfect equality of all classes of Christians⁵⁴. Such a bill should lay down the principle of entire religious equality of all religious denominations; repeal the clauses of the act permitting⁵⁵ the Government⁵⁶ the creation of⁵⁷ fresh rectories, without expressing any opinion in the legality of what had been previously done; and would make provision for future presentations. He concluded by expressing his satisfaction at the declaration of the hon. member for Cornwall of his desire for religious equality, on behalf of his church that she abandoned her former claims to superiority.⁵⁸ [But] he saw no necessity for the course pointed out by the member⁵⁹.

MR. WILSON wished to prevent the erection of any more rectories. He did not suppose there was a single man in the province who would go for the abolition of the rectories, if they had been legally established.⁶⁰ [He made] some remarks to the effect that the lands held by the rectors were much less considerable than was generally supposed⁶¹. It had always been said that there were 57 of them; but, in fact, there were only 44. He was in favour of a legislative declaration that the rectors should exercise no spiritual jurisdiction. He then read a bill which he intended to substitute for the one already before the house⁶² and which appeared to differ little from the views already expressed by Messrs. Cameron and Hincks.⁶³ It declares the principle of equality among all denominations, and repeals the clauses authorizing the establishment of future rectories; leaving the legality of the existing rectories to be determined by the ordinary tribunals; and in case they should be declared legal, the right of presentation should be vested in church society, or some other corporation connected with the church of England.⁶⁴

MR. W. BOULTON did not see the necessity of introducing a measure on the subject⁶⁵ [and he] could not understand the propriety of interfering with the rectories at all. The thing was precisely the same in Canada as in New York where there were a great many more rectories than in the former country.⁶⁶ There are 93 rectories in the State of New York, and yet there is never an outcry against them. The opposition to the rectories here arose from the erroneous supposition that the rectories exercised spiritual jurisdiction beyond their own congregation. In 1837, the Parliament of Upper Canada declared inviolable the rights acquired by the establishment of the rectories.⁶⁷

MR. AT. GEN. LAFONTAINE⁶⁸ said he thought it doubtful whether the Crown could not erect new rectories⁶⁹. He believed it had no such power;⁷⁰ but of course [it] could not set apart new lands⁷¹. [However] as there might be some doubt about it, he was willing to sanction a declaration that no more rectories should be created.⁷² Let the question be set at rest. For his own part, he desired that every body should be allowed to worship God in his own way, and that the State should interfere to aid them where aid was necessary--not to give one an advantage over the other. Formerly, the Church of England, however, had claimed superiority: now she was ready to give that up, and she was right for the pretension could not be maintained. Indeed, at that moment, there was not a member of that church in the Executive Council. Was that a reason, however, why the Church of England should now be placed in a position of inferiority? He was convinced there was no such bigot in the House who would say so.⁷³ Let her manage her own affairs herself; if she wants to establish rectories, let her do so. That was an argument for repealing the three clauses in the constitutional

act; but not absolutely⁷⁴. It was clear ... that it was for the advantage of the Church of England⁷⁵ that she should have power to present to any rectories which her own members might wish to endow⁷⁶ [and] that the presentation of the Ministers, and so on, should be transferred to the Church. He mentioned that in Lower Canada, there was an Act⁷⁷, the Act of 1840⁷⁸, which declared the Church of England was not an established Church⁷⁹ [and] contained a provision that the church of England should have no greater power than any other denomination⁸⁰ and while he thought the law was equally clear in Upper Canada, he still thought it right to repeal the three clauses of the Imperial Act now under discussion.⁸¹

MR. AT. GEN. BALDWIN said some misapprehension existed on the part of the public in reference to the Church of England, although it is probable that some members of the Church of England, in their public discussions, may have given rise to the fact; but a large portion of the Church of England from the earliest time here stated that the Church of England in this Colony was never in the strict position of an established Church. He did not believe that there could be more than one established in any given order⁸² [or] over any given area of land. Nor was the church of Rome the established church of the colony; there was no established church. This fact removed the ground of all those jealousies so often exhibited, and arising from the misapprehension of some and the evil designs of others.⁸³ While it was essential that the Church of England as the established Church, should be strictly confined to that part of the Empire, and the Church of Scotland to the other part, it appeared to him that there could not be two established Churches within the same given terms. With regard to the position of this Colony there could be no doubt that the church of England never was in the position of an established Church here. In fact, the Bishop of London had asserted, that if there were an established Church, it must be the Church of Rome. However, he did not believe the treaty ever contemplated such an establishment as that. Then the chief reason for supposing that the Church of England was an established Church, was to be found in the provision made in the 31st George III. for Ministers of the Church of England and nothing could be more injurious to the Church of England, of which he (Mr. B.) is an unworthy member, than the misapprehension that it occupies the invidious position of an established Church, and no greater service could be done to⁸⁴ the Church of England⁸⁵ than to remove from the Statute Book⁸⁶ those clauses which gave the only colour to the allegation of a connection between the church and the state⁸⁷. But this argument by no means affected the rights to the rectories, which must depend entirely upon the legality of the patents, as all other grants must do⁸⁸. Throughout the whole length and breadth of the country there were other denominations enjoying lands derived from the crown; and to interfere with the rectories would be a reason for interfering with them, unless it should be established that the rectories were illegally created. He expressed an opinion that the taking from the crown by right of presentation would not destroy that right which would still exist somewhere else. Taking this view of the case, he was prepared to support the second reading of the bill.⁸⁹ He did not see that it made much difference whether it was referred to a Committee of the Whole, or to a Special Committee, if such would be suggested.⁹⁰

(191)

The Bill was accordingly read a second time.

Mr. Wilson moved, seconded by Mr. Hopkins, and the Question being proposed, That the Bill be referred to a Select Committee, composed of the Honorable Mr. Baldwin, the Honorable Mr. Cameron of Cornwall, Mr. Morrison, Mr. Smith of Durham, and the mover, to report thereon with all convenient speed;

The Honorable Mr. Hincks moved in amendment to the Question, seconded by Mr. Smith of Durham, That the words "Mr. Smith of Durham" be left out, and the

words "Mr. Notman" inserted instead thereof;

MR. MACKENZIE did not expect that there was any reality in this matter, from the very first, but, he was anxious to see the farce acted. All that was wanted was to delay proceeding with the bill. There was no doubt that the whole performance was gone through before they had come here to-day, that the thing was "cut and dry", and that every member was ready to obey the four duteous sons of the Church.⁹¹ [He] said if the church of England was not represented in the government it was well represented in the committee. The whole thing had been got up for effect, and every one came prepared to perform his part; he would also perform his by voting against the motion.⁹²

MR. NOTMAN hoped that the government would allow the bill to go into committee of the whole House. If an important matter of this kind be sent to a select committee how will it satisfy the country. He wondered how they could justify their conduct to the country if they refer this bill to a select committee of 5 while out of that committee four are members of the Church of England. He was confident that such a committee would not give satisfaction to the country.⁹³

MR. MACKENZIE: Oh! the country understand the matter pretty well.⁹⁴

MR. NOTMAN again remarked that this was a vital question and should not be referred to a select committee⁹⁵. He could not therefore allow his name to be placed on the Committee.⁹⁶

SIR A. MACNAB said the hon. members for Middlesex and for Haldimand would have an opportunity of making speeches on the question when the report of the select committee came up.⁹⁷

MR. J. SMITH of Durham objected to a select committee, on the ground⁹⁸ that considerable delay would be occasioned by the bill going to a special committee⁹⁹ [and] that the bill would not be passed this Session.¹⁰⁰

MR. MORRISON withdrew his objections to a select committee.¹⁰¹

MR. MACKENZIE also withdrew his objections to a select committee on the understanding that the question should be made the first item on the Orders of the Day for Monday.¹⁰²

(191)

And the Question being put on the Amendment; the House divided:--And it was resolved in the Affirmative.

(192)

Then the main Question, so amended, being put;

Resolved, That the Bill be referred to a Select Committee, composed of Mr. Wilson, the Honorable Mr. Baldwin, the Honorable Mr. Cameron of Cornwall, Mr. Morrison, and Mr. Notman, to report thereon with all convenient speed.

West Gwillimbury Old Survey Annexation Bill.

of East Gwillimbury in the County of York," being read;

Ordered, That the said Order of the day be postponed until Monday next.

Bill relating to the Sale of Horses.

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intitled, "An Act to annex the Old Survey of West Gwillimbury in the County of Simcoe, to the adjoining Township

of Lower Canada, being read;

Mr. Guy moved, seconded by Mr. Taché, and the Ques-

tion being proposed, That the Bill be now read a second time;¹⁰³

Upon its second reading; and after rather profitless conversation in a somewhat jocular strain, upon the provisions of the bill¹⁰⁴--

(192)

Mr. Davignon moved in amendment to the Question, seconded by Mr. Malloch, That the word "now" be left out, and the words "this day two months" added at the end thereof;

And the Question being put on the Amendment; the House divided:--And it was resolved in the Affirmative.

Carried, 21 to 10.¹⁰⁵

(192)

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day two months.

Aliens Relief Bill.

The Order of the day for the second reading of the Bill for the further relief of Aliens, being read;

Mr. Prince moved, seconded by Mr. Nelson, and the Question being put, That the Bill be now read a second time;¹⁰⁶

COL. PRINCE in moving the second reading of the bill "for further relief of Aliens,"¹⁰⁷ that is, for giving to aliens the rights of subjects by a more speedy process than that of the present law¹⁰⁸, made some very pertinent remarks in advocacy of the measure.¹⁰⁹ He said he knew personally that there were strong objections on the part of wealthy emigrants to settle in the country,¹¹⁰ [and] he was of the opinion that one of the main reasons why the tide of emigration was for the most part directed towards the United States was because the emigrants thought the probationary term to be passed through before they became [Canadian] citizens was too long. In the United States they would become citizens in five years; in Canada not until they had continuously resided here for seven years. He also adverted to the doubts existing as to the right of foreigners to hold real estate in Canada previous to their being naturalized, as it were. A case was at present pending in the Court of Queen's Bench upon that very question. This measure was intended to place foreigners coming to Canada upon a footing somewhat similar to that of emigrants going to the United States.¹¹¹ He enlarged on the necessity of the passing of the Bill and went into some other of its details.¹¹²

MR. AT. GEN. BALDWIN opposed the bill, contending that there was no ambiguity in the Act of 1849, and in the absence of any judicial decision, which might make a legislative declaration necessary, he did not think it necessary to make any. He held that the term of 7 years was not too long a period to require aliens to reside in the country before granting them the rights of British subjects.¹¹³

MR. H. BOULTON was in favour of the bill as he believed it would promote emigration. He attributed the prosperity of the United States, in a great part, to the liberality of their law with respect to emigrants. He stated that when an emigrant arrived there and took the oath of allegiance he was at once admitted to the rights of American subjects. This was a great inducement for the foreigner to emigrate there. German and Swiss emigrants would prove valuable settlers in this country and would come in greater quantities if we dealt with them a little more liberally.¹¹⁴

MR. SOL. GEN. MACDONALD argued in the favour of letting the present Act have a longer trial. In the absence of need being shown for the bill of his hon. friend from Essex, he thought it better to take no immediate action in the matter.¹¹⁵

MR. RICHARDS opposed the bill and argued generally to the effect that it was not desirable.¹¹⁶

MR. H. SMITH of Frontenac, looked upon the bill as a liberal measure and would support it. He went on to argue in favour of the bill, stating that some of our wealthiest and most enterprising citizens were aliens who had been naturalized and he thought that requiring them to wait seven years before they could exercise the rights of British subjects was an illiberal discrimination against them.¹¹⁷

COL. PRINCE replied, stating that he would drop that part of the bill with reference to the holding of real estate, as he was satisfied with the statement of the hon. Attorney General made in his place in the House. He held that the possession of property was the best evidence of a man's desire to come and live in the country and become a subject, and it was much better evidence than coming and living here for seven years as a schoolmaster or a tradesman. He continued to speak at length in favour of the principle of encouraging the emigration of foreigners, stating that he had received a letter from the editor of a German newspaper informing him that if this bill was passed, a great number of Germans would come to the country.¹¹⁸

MR. BADGLEY trusted the Attorney and Solicitor Generals would withdraw their objection to the Bill, and allow it to go into committee. It was birth and not property that made a British subject. Property was only an adjunct to birth, and he thought it necessary to affix some time before an alien were allowed its privileges; but he was of opinion that 7 years was far too long a time and that one or two years would be quite long enough. This would be an encouragement strong enough to induce a great many aliens to settle among us, and it would tend to the prosperity of the country.¹¹⁹

MESSRS. HOPKINS and FERGUSON said a few words in favour of the bill.¹²⁰

(192)

the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Boulton of TORONTO, Davignon, Dickson, Fergusson, Flint, Fortier, Fournier, Fourquin, Hopkins, LaTerrière, Laurin, Malloch, McLean, Merritt, Meyers, Notman, Papineau, Prince, Scott of BYTOWN, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, and Smith of WENTWORTH.--(25.)

NAYS.

Messieurs Baldwin, Bouthillier, Cartier, Cauchon, Chabot, Gagy, Guillet, Jobin, Lacoste, Attorney General LaFontaine, Solicitor General Macdonald, Mackenzie, Méthot, Morrison, Nelson, Richards, Stevenson, and Wilson.--(18.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Navigation of
the Inland
Waters Bill.

The Order of the day for the House in Committee on the Bill to amend an Act, intituled, "An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the navigation of the waters of this Province," being read;

The House accordingly resolved itself into the said Committee.

Mr. Davignon took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Davignon reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

MR. H. BOULTON¹²¹ said: Mr. Speaker, I feel bound to bring a matter under the notice of the House.¹²²

SIR A. MACNAB (interposing,) I know what the hon. member is going to say; but before any thing is said upon the subject, I insist upon having the galleries cleared.¹²³

This was done at half-past 10 o'clock.¹²⁴

The galleries were accordingly cleared, and the House sat for several hours, with closed doors.¹²⁵

(192)

Complaint.

The Honorable Mr. Boulton, Member for the County of Norfolk, rose in his place, and informed the House, That upon his entering the House this afternoon, about half past six o'clock, by the private corridor near the Post Office in the east wing, and proceeding to his business in the House, he was met in the passage by Robert Nugent Watts, Esquire, the Member for the County of Drummond, who violently jostled him against the wall, and screamed out "Mr. Boulton has struck me;" he then said that he had not touched him,—on the contrary he (Mr. Watts) had run against him; that he drew himself back a step, and on passing by Mr. Watts, he received from him a violent kick in the upper part of the hip, near the small of the back, the effects of which, by the sensation of pain, he has felt ever since.

On motion of Sir Allan N. MacNab, seconded by the Honorable Mr. Baldwin,
Ordered, That the Complaint made by the Honorable Mr. Boulton, Member for the County of Norfolk, be entered on the Journals of this House.

On motion of Sir Allan N. MacNab, seconded by the Honorable Mr. Baldwin,
Ordered, That Robert Nugent Watts, Esquire, Member for the County of Drummond, be now heard in his place to answer the said Complaint.

Mr. Watts then rose in his place, and stated that he much regretted the Honorable Member for Norfolk did not communicate with him through a friend, instead of bringing the matter before the House, that they might have had mutual explanations, which he is sure would have been satisfactory to both parties: The facts are, that as he was coming out of one of the Committee Rooms, and looking behind him in the passage, the Honorable Member for Norfolk passed him, and most assuredly jostled against him: that he stood in a position which obstructed the passage to him (Mr. Boulton) on the side he passed; and that had it been any other Member he would probably have said "never mind," that it was his fault,—but turning quick, he saw it was Mr. Boulton, and believing it intentional, said "Mr. Boulton, you struck me;" that Mr. Boulton surprized him by retorting, "you have struck me, Sir, and take care:" that he is positive that he did not strike him, and that neither his arm, nor his hands touched him: that he received his (Mr. Boulton's) blow on the breast, from, he thinks, his shoulder: that supposing from his (Mr. Boulton's) answer, that it was done intentionally, he is ashamed and sorry to say that he kicked him, and that no man regrets it more than he does.

On motion of Sir Allan N. MacNab, seconded by the Honorable Mr. Baldwin,
Ordered, That the answer made by Robert Nugent Watts, Esquire, Member for the

County of Drummond, be entered on the Journals of this House.

Sir Allan N. MacNab moved, seconded by the Honorable Mr. Baldwin, and the Question being proposed, That the said Robert Nugent Watts, Esquire, having violently assaulted the Honorable Henry John Boulton, is guilty of a high breach of the privileges of this House;

Mr. Ross moved in amendment to the Question, seconded by Mr. Chauveau, That all words after "That" be left out, and the words "the statement made by Robert Nugent Watts, Esquire, Member for the County of Drummond, in answer to the Complaint of the Honorable Henry John Boulton, Member for the County of Norfolk, made before this House, this day, be held and taken to be a sufficient and satisfactory explanation and apology to this House;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Davignon, Fortier, Fournier, Fourquin, Guillet, Lacoste, Laurin, Letellier, Méthot, Nelson, Polette, Prince, and Ross.--(19.)

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NAYS.

Messieurs Badgley, Baldwin, Bell, Boulton of TORONTO, Cameron of CORNWALL, Cameron of KENT, Cayley, Christie, Crysler, Dickson, Duchesnay, Dumas, Gugy, Hall, Hincks, Holmes, Hopkins, Johnson, Attorney General LaFontaine, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, Malloch, McConnell, McLean, Merritt, Morrison, Notman, Papineau, Price, Richards, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, Taché, and Wilson.--(41.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Boulton of TORONTO, Cameron of CORNWALL, Cameron of KENT, Cayley, Christie, Crysler, Dickson, Duchesnay, Dumas, Flint, Gugy, Hall, Hincks, Holmes, Hopkins, Johnson, Attorney General LaFontaine, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, Malloch, McConnell, McLean, Merritt, Morrison, Notman, Papineau, Price, Prince, Richards, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, Taché, and Wilson.--(43.)

NAYS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Davignon, Fortier, Fournier, Fourquin, Guillet, Lacoste, Laurin, Letellier, Méthot, Nelson, Polette, and Ross.--(18.)

So it was resolved in the Affirmative.

SIR A. MACNAB s'adressa à ... M. Baldwin ... pour lui dire: "Je ne sais plus que faire; je vais arrêter la procédure que je voulais suivre conformément aux strictes usages parlementaires. Puisque la chambre a déclaré que M. Watts avait porté atteinte à ses privilèges, qu'elle suggère une punition quelconque."126

MR. ARMSTRONG lui cria: "Rachevez votre besogne, et portez-en la responsabilité toute entière; n'essayez pas de l'imposer à ce côté-ci de la chambre; votre intention nous la connaissons." Il se sentit pris au dépourvu par cette verte apostrophe, et il chercha ses papiers en tâtonnant.127

MR. AT. GEN. LAFONTAINE lui dit à son tour: "Est-ce que vous n'êtes pas satis-

fait d'avoir tenu l'honorable député de Drummond plus de trois heures sur la selette, surtout après la noble apologie qu'il a faite, sans essayer un autre genre de punition? Si vous n'en finissez pas je vais proposer de résoudre qu'il n'est pas expédient d'aller plus loin."128

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Sir Allan N. MacNab moved, seconded by Mr. Smith of Frontenac, and the Question being proposed, That the said Robert Nugent Watts be, for his said offence, committed to the custody of the Serjeant at Arms;

The Honorable Mr. Sherwood moved in amendment to the Question, seconded by the Honorable Mr. Macdonald, That all the words after "Watts" to the end of the Question be left out, in order to add the words "Member for the County of Drummond, having been pronounced guilty of a breach of the privileges of this House, and having stated, under the circumstances, that he was ashamed and sorry to say that he committed an assault upon the Honorable Member for Norfolk, and that no one more regrets it than he himself does, it shall be received as a sufficient apology by this House" instead thereof;

Mr. Cauchon moved in amendment to the said proposed Amendment, seconded by Mr. Polette, That all the words after "That" to the end of the Question be left out, in order to add the words "the apology of Robert Nugent Watts, Member for the County of Drummond, being full and satisfactory, it is not expedient to proceed further" instead thereof;

And the Question being put on the Amendment to the said proposed Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Davignon, Fortier, Fournier, Fourquin, Guillet, Lacoste, Letellier, Méthot, Nelson, Polette, and Ross.--(18.)

NAYS.

Messieurs Badgley, Baldwin, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Christie, Dickson, Duchesnay, Dumas, Flint, Guly, Hall, Hincks, Holmes, Hopkins, Johnson, Attorney General LaFontaine, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, Malloch, McConnell, McLean, Morrison, Notman, Papineau, Price, Richards, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, and Taché.--(37.)

So it passed in the Negative.

And the Question being put on the Amendment to the Original Question; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Cartier, Chabot, Chauveau, Davignon, Dickson, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Guly, Guillet, Hall, Hincks, Holmes, Hopkins, Johnson, Lacoste, Attorney General LaFontaine, Laurin, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, Méthot, Morrison, Nelson, Notman, Price, Richards, Ross, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(43.)

NAYS.

Messieurs Boulton of TORONTO, Cameron of CORNWALL, Cauchon, Cayley, Christie, Sir Allan N. MacNab, McLean, Papineau, Robinson, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Stevenson.--(12.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put; the House divided: and the names being called for, they were taken down, as in the last preceding division.

Resolved, That Robert Nugent Watts, Member for the County of Drummond, having been pronounced guilty of a breach of the privileges of this House, and having stated, under the circumstances, that he was ashamed and sorry to say that he committed an assault upon the Honorable Member for Norfolk, and that no one more regrets it than he himself does, it shall be received as a sufficient apology by this House.¹²⁹

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Solicitor General Macdonald, seconded by Mr. Notman,
The House adjourned.

APPENDIX: 24 JULY 1851.

[ANNOUNCEMENT RE: PROROGATION.]¹³⁰

MR. INSP. GEN. HINCKS stated that it was the intention to endeavour to prorogue Parliament by the 10th of August.¹³¹

[COL. GUGY'S COMPLAINT AGAINST THE REPORTERS.]

COL. GUGY complained ... [about] the refusal of the reporters to report him, ... and threatened, in case it continued, to cause the galleries to be cleared.¹³²

FOOTNOTES: 24 JULY 1851.

1. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 25 July 1851, MONTREAL GAZETTE, 29 July 1851, GLOBE, 29 July 1851, EXAMINER, 30 July 1851, HAMILTON SPECTATOR, 30 July 1851, which copied from BRITISH COLONIST, NORTH AMERICAN, 1 August 1851, BATHURST COURIER, 5 August 1851, and LA MINERVE, 31 July 1851. The following papers noted the debate: MONTREAL GAZETTE, 29 July 1851, in a separate account; and HAMILTON SPECTATOR, 30 July 1851, which also contained a commentary on the debate.
2. GLOBE, 29 July 1851.
3. BRITISH COLONIST, 25 July 1851.
4. GLOBE, 29 July 1851.
5. BRITISH COLONIST, 25 July 1851.
6. GLOBE, 29 July 1851.
7. BRITISH COLONIST, 25 July 1851.
8. GLOBE, 29 July 1851.
9. BRITISH COLONIST, 25 July 1851.
10. GLOBE, 29 July 1851.
11. BRITISH COLONIST, 25 July 1851.
12. GLOBE, 29 July 1851.
13. BRITISH COLONIST, 25 July 1851.
14. GLOBE, 29 July 1851.
15. BRITISH COLONIST, 25 July 1851.
16. GLOBE, 29 July 1851.
17. BRITISH COLONIST, 25 July 1851.
18. GLOBE, 29 July 1851.
19. BRITISH COLONIST, 25 July 1851.
20. GLOBE, 29 July 1851.
21. BRITISH COLONIST, 25 July 1851.
22. GLOBE, 29 July 1851.
23. BRITISH COLONIST, 25 July 1851.
24. GLOBE, 29 July 1851.
25. BRITISH COLONIST, 25 July 1851.
26. GLOBE, 29 July 1851.
27. BRITISH COLONIST, 25 July 1851.
28. GLOBE, 29 July 1851.
29. IBID.
30. IBID.
31. BRITISH COLONIST, 25 July 1851.
32. GLOBE, 29 July 1851.
33. EXAMINER, 30 July 1851.
34. BRITISH COLONIST, 25 July 1851.
35. EXAMINER, 30 July 1851.
36. BRITISH COLONIST, 25 July 1851.
37. EXAMINER, 30 July 1851.
38. BRITISH COLONIST, 25 July 1851.
39. EXAMINER, 30 July 1851.
40. BRITISH COLONIST, 25 July 1851.
41. EXAMINER, 30 July 1851.
42. BRITISH COLONIST, 25 July 1851.
43. EXAMINER, 30 July 1851.
44. BRITISH COLONIST, 25 July 1851.
45. EXAMINER, 30 July 1851.
46. BRITISH COLONIST, 25 July 1851.

47. BATHURST COURIER, 5 August 1851.
48. BRITISH COLONIST, 25 July 1851.
49. EXAMINER, 30 July 1851.
50. BRITISH COLONIST, 25 July 1851.
51. EXAMINER, 30 July 1851.
52. BRITISH COLONIST, 25 July 1851.
53. EXAMINER, 30 July 1851.
54. BRITISH COLONIST, 25 July 1851.
55. EXAMINER, 30 July 1851.
56. BRITISH COLONIST, 25 July 1851.
57. EXAMINER, 30 July 1851.
58. BRITISH COLONIST, 25 July 1851.
59. EXAMINER, 30 July 1851.
60. IBID.
61. BRITISH COLONIST, 25 July 1851.
62. EXAMINER, 30 July 1851.
63. BRITISH COLONIST, 25 July 1851.
64. EXAMINER, 30 July 1851.
65. IBID.
66. BRITISH COLONIST, 25 July 1851.
67. EXAMINER, 30 July 1851.
68. The following comment appeared in HAMILTON SPECTATOR, 30 July 1851:
 "Mr. Lafontaine made one or two remarks, which clearly evince that he saw it was a part of the general attack made upon the church of England, which its united enemies desire to place in an inferior position, but which it is evident the French Canadian Members will not lend themselves to."
69. BRITISH COLONIST, 25 July 1851.
70. EXAMINER, 30 July 1851.
71. BRITISH COLONIST, 25 July 1851.
72. EXAMINER, 30 July 1851.
73. BRITISH COLONIST, 25 July 1851.
74. EXAMINER, 30 July 1851.
75. BRITISH COLONIST, 25 July 1851.
76. EXAMINER, 30 July 1851.
77. BRITISH COLONIST, 25 July 1851.
78. EXAMINER, 30 July 1851.
79. BRITISH COLONIST, 25 July 1851.
80. EXAMINER, 30 July 1851.
81. BRITISH COLONIST, 25 July 1851.
82. GLOBE, 29 July 1851.
83. EXAMINER, 30 July 1851.
84. GLOBE, 29 July 1851.
85. EXAMINER, 30 July 1851.
86. GLOBE, 29 July 1851.
87. EXAMINER, 30 July 1851.
88. GLOBE, 29 July 1851.
89. EXAMINER, 30 July 1851.
90. GLOBE, 29 July 1851.
91. IBID.
92. EXAMINER, 30 July 1851.
93. GLOBE, 29 July 1851.
94. IBID.
95. IBID.
96. EXAMINER, 30 July 1851.

97. IBID.
98. IBID.
99. GLOBE, 29 July 1851.
100. EXAMINER, 30 July 1851.
101. IBID.
102. IBID.
103. The debate on this matter was noted by: MONTREAL GAZETTE, 26 July 1851; GLOBE, 29 July 1851; and MONTREAL GAZETTE, 29 July 1851, which made the following comment: "Mr. Gagy's nonsensical bill about the diseases of horses and asses was thrown out, after affording a good deal of laughter at its contents. Its fate may have occasioned some chagrin to its author, but to no body else."
104. GLOBE, 29 July 1851.
105. IBID.
106. The following papers reported the debate on this matter in identical accounts, all noting in error that the bill was read "on motion of Mr. Davignon": MONTREAL GAZETTE, 26 July 1851, PILOT, 26 July 1851, MONTREAL TRANSCRIPT, 26 July 1851, BRITISH WHIG, 26 July 1851, and BATHURST COURIER, 5 August 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 25 July 1851, GLOBE, 29 July 1851, HAMILTON SPECTATOR, 30 July 1851, which copied from BRITISH COLONIST, PILOT, 31 July 1851, and NORTH AMERICAN, 1 August 1851. A commentary appeared in MONTREAL GAZETTE, 29 July 1851.
107. GLOBE, 29 July 1851.
108. MONTREAL GAZETTE, 29 July 1851.
109. GLOBE, 29 July 1851.
110. BRITISH COLONIST, 25 July 1851.
111. GLOBE, 29 July 1851.
112. BRITISH COLONIST, 25 July 1851.
113. IBID.
114. IBID.
115. IBID.
116. IBID.
117. IBID.
118. IBID.
119. IBID.
120. IBID.
121. The following papers reported the debate on this matter in partially identical accounts: MONTREAL GAZETTE, 26 July 1851, PILOT, 26 July, 2 August, 1851, BRITISH WHIG, 26 July 1851, BRITISH COLONIST, 29 July 1851, EXAMINER, 30 July 1851, and BATHURST COURIER, 5 August 1851. The debate was also reported by: GLOBE, 29 July 1851; and MONTREAL TRANSCRIPT, 31 July 1851. The following papers noted the debate in identical accounts: BRITISH COLONIST, 25 July 1851, MONTREAL GAZETTE, 29 July 1851, HAMILTON SPECTATOR, 30 July 1851, which copied from BRITISH COLONIST, PILOT, 31 July 1851, and NORTH AMERICAN, 1 August 1851; BRITISH COLONIST, 25 July 1851, in a separate account, and HAMILTON SPECTATOR, 26 July 1851, which copied from BRITISH COLONIST. The debate was also noted by: HAMILTON SPECTATOR, 30 July 1851; and JOURNAL DE QUEBEC, 29, 31 July 1851. Commentaries appeared in: MONTREAL GAZETTE, 29 July 1851; HAMILTON SPECTATOR, 30 July 1851; MONTREAL TRANSCRIPT, 31 July 1851; and JOURNAL DE QUEBEC, 31 July 1851. According to JOURNAL DE QUEBEC, 31 July 1851, the personal animosity between Messrs. Boulton and Watts had the following origins: "Vous savez déjà que M. Boulton, oncle, profitant de l'absence de M. Watts, avait cru

devoir exposer non-seulement à la chambre, mais au public que M. Watts avait reçu ses frais de voyage malgré qu'il ne fut resté à Toronto que quelques jours. M. Watts y avait droit en vertu de la loi, et si M. Boulton avait été animé d'un sentiment quelque peu généreux, quelque peu loyal envers l'un de ses collègues, il eut suivi l'usage habituel en mettant le même fait devant la chambre avant l'admission du public. Mais non, M. Watts était absent, et s'il pouvait blesser les sentiments et atteindre le caractère d'un adversaire tout en faisant preuve de la pureté de ses motifs, il devait se glorifier dans son triomphe. Mais M. Watts arriva et il fit des recherches à son tour et trouva que M. Boulton, l'homme qui prétend porter respect à la loi jusqu'à ses limites extrêmes, qui affirme contre la raison que l'acte de M. Watts n'est pas légal; il trouve que M. Boulton a reçu £54 par parcelles. C'est-à-dire que l'ex-juge en chef qui se vante de valoir £60,000 allait chaque matin, contrairement à la lettre de la loi, panier en main, demander chaque matin au caissier de la chambre, M. Vaux, de quoi faire son marché, et payer ses choux et ses raves. Quelle ignominie de la part de celui qui se charge de sauvegarder la loi et la dignité de la représentation nationale! On comprend facilement que celui qui est loin de sa famille, pendant que celle-ci continue à dépenser le revenu de chaque jour, puisse avoir besoin de recourir de temps à autre à la source où la lettre de la loi ne lui permet pas de puiser qu'au terme de la session. Mais M. Boulton n'est pas placé dans cette position; il est chez lui, au sein de sa famille, vacant à ses affaires, ne dépensant rien de plus que durant la partie de l'année où il n'y a pas de session parlementaire, si ce n'est une plus grande abondance de paroles et un temps que le pays tout entier désirerait voir mieux employer. On calcule qu'à lui seul il a consommé en discours plusieurs mille louis de l'argent public." This was also the opinion of the MONTREAL TRANSCRIPT, 31 July 1851. Another factor in the dispute, however, is noted by MONTREAL GAZETTE, 29 July 1851: "These two gentlemen, we understand, have not been on good terms for the last two years, and the lie, on one occasion at least, has passed between them, in private. The matter of Mr. Watts's mileage allowance and stationery, brought under the notice of the House by Mr. Boulton, did not tend to obliterate any bad feeling; but no one ever imagined that it would result in personal collision.... Mr. B. is a frail old man; Mr. Watts is a tall athletic young man, of warm temperament."

122. GLOBE, 29 July 1851.

123. IBID.

124. BRITISH COLONIST, 25 July 1851.

125. GLOBE, 29 July 1851, which commented: "It was necessary as a matter of course that the Reporters should be excluded before this precious peroration was affixed to the day's debate. The House is jealous of its dignity, and it is well, for such scenes tend very much to depreciate that quality."

126. JOURNAL DE QUEBEC, 31 July 1851.

127. IBID.

128. IBID.

129. JOURNAL DE QUEBEC, 31 July 1851, concluded its account on this matter as follows: "On rapporte que M. Boulton disait lui-même--'Si M. Watts en avait fait autant à M. Baldwin, on l'aurait déchiré par lambeaux.' Cela est vrai à la lettre; mais M. Baldwin est vénérable et vénéré de tout le monde, tandis que M. Boulton est détestable et détesté de tout le monde: voilà la différence assez grande pour amener des résultats opposés."

130. The following papers reported this announcement in identical accounts: MONTREAL GAZETTE, 26 July 1851, PILOT, 26 July 1851, MONTREAL TRANSCRIPT, 26 July 1851, BRITISH WHIG, 26 July 1851, and BATHURST COURIER, 5 August 1851.

131. MONTREAL GAZETTE, 26 July 1851.
132. EXAMINER, 30 July 1851, which added the following commentary on the matter:
"That speech was not even noticed by the reporters.... In point of fact, he [Col. Gagy] never says anything particularly interesting, certainly nothing worth putting into print, and the reporters, exercising a sound discretion, refuse to send forth more trash in the world. The result is that Mr. Gagy is determined that no member shall fare better than himself."

FRIDAY, 25 JULY 1851.

(193)

Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Robinson,--the Petition of Michael O'Monaghan and others, of the Township of Osprey, County of Simcoe.

By Mr. McFarland,--The Petition of Jacob Misener and others, of the vicinity of the River Welland.

Petitions
Read.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Right Reverend the Lord Bishop of Quebec, on behalf of the Clergy and Lay Delegates of the Church of England of the Diocese of Quebec; praying that no alienation be made of the Clergy Reserves from their original purpose.

Of Messieurs Benson and Company, and others, Merchants, and others interested in the Lumber Trade; praying for an Act to allow Lumbermen to land

(194)

and pass along the banks, to the extent of twenty feet, on each side of rivers navigable for timber in Lower Canada, and to compel parties obstructing such rivers by Mill Dams, or otherwise, to make Slides for the passing of timber at such places.

Of William Winder, Esquire, Librarian of this House; praying compensation for the loss of personal property sustained by him through the burning of the Parliament Buildings in the City of Montreal.

Of the Municipality of the Township of Wainfleet; praying for the rejection of any attempt which may be made to deprive the Brantford and Buffalo Railroad Company of the rights acquired by it under the Act 13 & 14 Vic. cap. 72.

Bill relating
to Law Expenses
(U.C.).

Mr. Smith of Durham reported from the Special Committee on the Bill to reduce Law expenses, and to establish a Tariff of Fees for the Superior Courts of Law in Upper Canada, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Bill to enable
C.R. Wilkes to
convey certain
Real Estate.

Mr. Notman reported, from the Select Committee on the Bill to enable Caira Robbins Wilkes, the wife of George Samuel Wilkes, of Brantford, Esquire, to convey by herself certain Real Estate devised to her by her late father, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Second Report
of Committee on
Railroads and
Telegraph Lines.

The Honorable Mr. Badgley, from the Standing Committee on Railroads and Telegraph Lines, presented to the House the Second Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to empower the Saint Lawrence and Lake Champlain Railroad Company to make a Branch Road to the Province line east of the River Richelieu, and to construct a Bridge

over the said River, and they have agreed to several amendments, the most important of which concerning the proposed Bridge, they beg to refer to in their Report, inasmuch as the principle of the Bill is in some measure affected by the amendment. After a careful consideration of the subject, and hearing the evidence of several gentlemen well acquainted with the locality, Your Committee are of opinion that the construction of a Bridge over the Richelieu near Rouse's Point, might possibly tend to impede the navigation of that River, and they have accordingly amended the Bill by striking out so much thereof as relates to the construction of a Bridge at the point where the proposed Branch Road will cross the Richelieu, and empowering the Company to erect piers on each side of the said River, at Ash Island, at a distance of not less than 125 feet, on each side, from the centre of the channel, and to use such vessel as they may find suitable for conveying their trains across the opening between the said piers. These and such other amendments as they have made to the Bill, they now beg leave to report for the consideration of Your Honorable House.

St. Lawrence
and Lake Champlain
Railroad Branch Bill.

Ordered, That the Bill to empower the Saint Lawrence and Lake Champlain Railroad Company to make a Branch Road to the Province Line east of the River Richelieu, and to construct a Bridge over the said River, as reported from the Standing Committee on Railroads and Telegraph Lines, be committed to a Committee of the whole House, for to-morrow.

Election
Petitions Bill.

The Order of the day for the third reading of the engrossed Bill to repeal the several Acts of the Parliaments of Lower and Upper Canada now in force for the trial of Controverted Parliamentary Elections in the two sections of the Province respectively, and to provide by one General Act for the trial of all Parliamentary Election Petitions, being read;

The Honorable Mr. Baldwin moved, seconded by the Honorable Mr. Price, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Egan, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Holmes, Jobin, Lacoste, Attorney General La-Fontaine, LaTerrière, Laurin, Lemieux, Letellier, McFarland, McLean, Méthot, Meyers, Morrison, Nelson, Notman, Papineau, Polette, Price, Prince, Richards, Robinson, Ross, Sauvageau, Scott of TWO MOUNTAINS, Stevenson, Taché, Viger, Watts, and Wilson.--(46.)

NAYS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, and Malloch.--(3.)
So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Baldwin do carry the Bill to the Legislative Council, and desire their concurrence.

Quebec River
Police Bill.

An engrossed Bill to provide for defraying the expense of the River Police at Quebec, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Montreal River
Police Bill.

An engrossed Bill to provide for defraying the expense of the River Police at Montreal, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Quebec Incorporation Bill.

An engrossed Bill further to amend the Ordinances incorporating the City of Quebec, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Chabot do carry the Bill to the Legislative Council, and desire their concurrence.

Navigation of the
Inland Waters.

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to amend an Act, intituled, "An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the navigation of the waters of this province," being read;¹

MR. J. CAMERON (Cornwall) moved that the report of the committee of the whole on the bill to amend the Navigation Act, be received and concurred in.²

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The Honorable Mr. Cameron of Cornwall moved, seconded by Mr. Boulton of Toronto, and the Question being proposed, That the Report be now received;

MR. LETELLIER opposed the concurrence of the House in certain of the clauses reported by the Committee. He thought it would fall very heavily on certain small vessels on the St. Lawrence; who had but a man and a boy on board, to make them keep a fog horn going in thick weather. He did not think that these vessels ought to be obliged to carry boats of the size mentioned, neither did he think there was any object in making them carry a light. It was impossible that they could do any damage to other vessels.³

MR. ROSS thought one clause in the Bill was unscientific. It was that clause which provided that steamboats should open the steam valve when the boats were stopped, so as to keep down the head of steam to as nearly as possible the force which was required, when she was in motion. It was not when a boat was in motion that she blew up, for it was then that the steam had less power. It therefore appeared to him that to keep down the steam when the vessel was not on her way, would tend to create inconvenience without advantage.⁴

MR. J. CAMERON replied that it was for that very reason that the steam should be kept down when the steamboats were stopped. The clause was copied from the New York Act. In general, accidents arose immediately upon the vessels leaving wharves, from the steam which had been improperly allowed to accumulate. He thought the proper precautions were necessary for the boats in question, as well as other vessels.⁵

MR. ROSS said the gentleman misunderstood his objection. His position was this, when under-way, steamboats could not possibly raise the steam to a dangerous height. Now to say that it should not be raised beyond that point when they were at rest, was to place the standard too low. He thought the standard ought to be fixed by scientific men--that each boiler ought to be rated.⁶

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Mr. Letellier moved in amendment to the Question, seconded by Mr. Méthot, That all the words after "That" to the end of the Question be left out, in order to add

the words "the Bill be now recommitted for the purpose of taking into further consideration the second, seventh, and eighth Clauses of the said Bill" instead thereof;

And the Question being put on the Amendment:--It was resolved in the Affirmative.

(195)

Then the main Question, so amended, being put;

Resolved, That the Bill be now recommitted for the purpose of taking into further consideration the second, seventh and eighth Clauses of the said Bill.

The House accordingly resolved itself into the said Committee.

Mr. Davignon took the Chair of the Committee;

The House ... made one or two amendments, to exempt small vessels sailing out of Quebec, from the operation of the Act.⁷

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Davignon reported, That the Committee had gone through the Bill, and made further amendments thereunto.

Ordered, That the Report be now received.

Mr. Davignon reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:

Mutual Fire
Insurance
Company Bill (L.C.).

Bill, intituled, "An Act to amend and make permanent the Acts in force in Lower Canada for the establishment of Mutual Fire Insurance Companies therein:"

Quebec Fire
Debentures Act
Amendment Bill.

Bill, intituled, "An Act to amend the Act therein mentioned, enabling Her Majesty to direct the issue of Debentures to a limited amount, and for granting relief to the City of Quebec:"

Bill relating
to Land Patents.

Bill, intituled, "An Act relating to Land Patents where-
by any waste or other Lands of the Crown in Lower Canada are
granted, and to dispense with certain formalities therewith
connected occasioning unnecessary delay and expense, and to amend a certain Act
therein mentioned concerning such Land Patents:"

Criminal Law
Amendment Bill.

Bill, intituled, "An Act for the further amendment of
the administration of the Criminal Law:" And also,

Montreal Marine
Mutual Insurance
Bill.

The Legislative Council have passed the Bill, intituled,
"An Act to incorporate the Marine Mutual Insurance Company
of Montreal," with several Amendments, to which they desire
the concurrence of this House: And also,

A. Thompson's
Road Allowance
Bill.

The Legislative Council request, That this House will
communicate to their Honors, the evidence, proofs and docu-
ments on which is founded the Bill, intituled, "An Act to
vest a certain allowance for Road in the Township of

Woodhouse, in the County of Norfolk, in Andrew Thompson:" And also,

Gould & Sons'
Naturalization
Bill.

Waterous' Civil
and Political
Rights Bill.

And then he withdrew.

Representation
Bill.

The Legislative Council request, That this House will communicate to their Honors, the evidence, proofs and documents on which is founded the Bill, intituled, "An Act to naturalize Ira Gould and others, and for other purposes," and also the evidence, proofs and documents on which is founded the Bill, intituled, "An Act to confer upon Charles Horatio Waterous, of the Town of Brantford, Machinist, the Civil and Political Rights of a natural born British Subject."

The Order of the day for the second reading of the Bill to enlarge the Representation of the People of this Province in Parliament, being read;⁸

MR. AT. GEN. LAFONTAINE moved the second reading of the bill to augment the Representation in Parliament; the effect of which he contended, would be to secure to the people the benefits of responsible government in a more efficient manner than at present.⁹ This was the third time the bill had been introduced in consequence of the necessity for a vote of two thirds. The present representation of the Province had been laid down about ten years ago. Since that [time] there had been three Parliaments, and this was the last session of the third. The act of Union by which it was enacted, created much more than a mere corporation. In fact, the Parliament of Canada was the second Legislative body in the Empire--in local matters, possessed of as much power as the Parliament of Great Britain. That was due to the hon. Attorney General (West). Was the Legislature, then, as now constituted sufficiently large to answer to the wants of the country? He did not mean to satisfy the interests of this or that member, but to satisfy the public wants of the country. In this respect he did not think the representation was sufficient to excise [*sic*] a salutary control over the acts of the government. It could not be denied that the present ministry--whatever their faults--possessed the assent of the House to their continuance in office; but was that the case in the last Parliament? No: there was a majority sometime of only one, which could not give security to the country. What had been seen during the last parliament in the years 1844 and 1845? An adjournment of twenty days had taken place, but for what reason? Was it to prepare measures to submit to Parliament? No: it was because the supporters of the ministry wanted this or that appointment, and therefore, it was necessary to take time to arrange with them.¹⁰ The importunities of ministerial supporters for office had brought the public business to a stand.¹¹ That was one of the effects of a small number of representatives.¹² Before the change in the Government there had been ninety members in the popular branch of the Government in Upper Canada, and sixty-two members in that of Lower Canada, in all 132 [*sic*] members.¹³ The object of this bill then was to restore that number, and give as many members to the United Parliaments as there were formerly in the two houses. He had already spoken of the corruption caused by too small a representation, and the word reminded him that members sometimes had been purchased; but let the House be increased in numbers, and it would be found much more difficult to purchase many than few. As to the relative representation of the two sections of the Province, he would say, that at the time the Union had been on the tapis Lower Canada had not been consulted at all. But Upper Canada was consulted, and she preferred the system of equal representation and he looked upon that as one of those guarantees which could never be destroyed with justice.¹⁴ Le principe de la représentation basée sur la population a été refusé par le Haut-Canada en 1841, et alors l'union des provinces a mis la représentation sur un pied d'égalité que je désire maintenir entre les deux sections.¹⁵ So long as that principle should be maintained there would be peace but what was wanted was an increase in the whole number of representatives. It had been said that the hon. member for Haldimand represented a

minority of the constituents; that was tried, and such cases would often happen when there were several candidates; but let the constituencies be better distributed, and it would do much to prevent this evil. He knew there would be great difficulty in obtaining the fifty-six votes which were necessary to carry the bill. It had failed before and might again; but whether fifty-six votes were obtained or not, he could not shut his eyes to the consequences of the present small representation. When he introduced the bill at first it might have been alleged that he did so to secure party support; but that could not be now, for he repeated that it was the last session that he should sit in the House. Though a two-thirds vote were not obtained, it could not be denied that the measure was a popular one since it had already been and would again be carried by a large majority. He wished that it might be carried without application to the Colonial Office; but if after having been carried three times, it should again be carried after the next elections, hon. members might be prepared for what would follow, that the majority would say, since you will not do what we require you, we cannot remain longer as we are; and the fifty-five members will apply to the Imperial Government; nor could any one blame them if they did. Hon. members might be sure that what was asked would be given at once. He had not said anything with the view to make an impression. He expected no converts except such as might have made up their minds before the session began the measure, and that the more numerous they made the House, the less opportunity existed for corruption. As to corruption; he said openly, though without mentioning any names, that attempts had been made by certain members to coerce the Government. He desired to put an end to these attempts, to the proceedings of men who said, give me this or that, or give me that, and I will vote for you. Let the Parliament be enlarged to such an extent, as to be made to accord in some measure with the wants of the Government and though there would still be disagreements about details, there would be a great Canadian people proud of their country, and when abroad ready to say, that is my Government, and I am ready to support it. What was said now? Oh this Lafontaine is a corrupt sticker to office! This feeling naturally arose from the fact that office-seekers have too much power. Last election the office-seekers were on his (Mr. Lafontaine's) side and helped him greatly, though he would not say they carried the election. Next election two-thirds of these people would be on the other side because they had not been appointed. While he said that of the present government, it was equally true of the preceding Government, who had had to expend £200,000 in order to purchase support when the Province was almost at bankrupt. It was this that required the issue of small debentures under the present Government, which had been so much decried by a portion of the Fourth Estate, of whom hon. gentlemen opposite spoke so much.¹⁶

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The Honorable Mr. Attorney General LaFontaine moved, seconded by Mr. Solicitor General Drummond, and the Question being proposed, That the Bill be now read a second time;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by the Honorable Mr. Cameron of Kent, That all the words after "That" to the end of the Question be left out, in order to add the words "any measure in the Representation of the People in Parliament should be based upon the gradual increase of Population; and, in accordance with this principle, that every Town, County, Riding, and City now represented with a Population of not more than twenty thousand, shall be represented by one Member, and if more than twenty thousand and less than forty thousand, by two Members, and if containing more than forty thousand, then by three Members" instead thereof;

And a Debate arising thereupon;

MR. CAYLEY said the hon. member did not understand the matter at all. The late government wished to make their disbursements out of their annual revenue. The present Ministry had borrowed money upon debentures.¹⁷

MR. AT. GEN. LAFONTAINE--Well he would leave that answer to the hon. Inspector General, but he would say this, that the present ministry had the advantage of the assistance of that hon. gentleman whose financial talents gave much confidence to his friends and were also admired by his opponents--however he mentioned this to show, that if members opposite had the support of a majority of twenty, they would not have been obliged to sacrifice every thing to two or three individuals who think they can get what they ought not to get with due regard to the good of the country.¹⁸

MR. SHERWOOD, why not base the bill on population.¹⁹

MR. AT. GEN. LAFONTAINE, was the hon. member in Parliament in 1841? Did he not at that time, vote against representation according to population? And was he not the first to join the administration after the government had been established with representation according to the present basis.²⁰

During the speech of the hon. member, MR. MORIN the SPEAKER asked if the half hour rule were to be observed.²¹

The House expressed an unanimous desire to dispense with it.²²

MR. CAYLEY replied to that part of the remarks of the hon. member, which related to finance.--He had said that £300,000 had been spent in public works. But on referring to a letter to Messrs. Baring by the Inspector General, it was stated that in the former years of the late Administration the surplus had been £400,000. Now if that was so, how was the late Ministry to be held to have done wrong, by spending £200,000 in public works. These public works were not, however, to be imputed to the late Administration. They were begun in 1841, and they were begun on estimates made by Mr. Killaly at far below the real cost. This accounted for the embarrassment they caused. Now the late Ministry might have borrowed money; he had plenty offered him in London at 6 per cent discount; but that he refused, because he preferred to make use of the surplus of the ordinary revenue. The issue of the small debenture was an expedient within his (Mr. Cayley's) power; but it had always been found defective to credit wherever it has been tried; and he understood that so far from its being regarded with favour in England, English Capitalists had consented to make further loans, only on condition that they were withdrawn from circulation. He concluded by saying, that with regard to the bill before the House that the way to carry it would be to adopt the principle of representation according to population.²³

MR. H. BOULTON said the way to get rid of corruption was not to increase the number of representatives; but to deprive the Administration of the power to corrupt. The hon. member knew his bill would not carry, and therefore he now said, let this bill go into committee and you can alter it as you please. On bringing in the bill on a previous occasion he had declared it should pass as it was.²⁴

MR. AT. GEN. LAFONTAINE said he had never done so; that on the occasion in question, the hon. member himself had voted for it. (Ironical cheers)²⁵.

MR. H. BOULTON did so--but on the understanding that it should be so altered as to be based upon population.²⁶ [He] spoke at some length in opposition to the bill, one of his principal objections being that it did not promise to base representation on population.²⁷ [He] animadverted on the rapid growth of Upper Canada, as compared with Lower Canada, in population and prosperity; and, contemplating the probability of further increase, he asked if the people of the upper section could be expected to rest contented with a system which declared that the representative power of the two sections should remain equal. He charged the Ministry with having uniformly resisted every measure calculated to draw the teeth of Governmental corruption, and attributed the bill to a desire to throw around future

Parliaments as many difficulties as possible in the path of satisfactory legislation.²⁸ He concluded that though the Lower Canadians were right to stick to the present management, the people of Upper Canada could never consent to it, except by the basest prostitution of all claims to patriotism. He remembered in the year when he voted for this bill, that he had moved a resolution for an address to the Crown vote. At that time as he passed to the Speaker's chair, the hon. member for Montreal said, "I don't thank you for that". He understood the hon. member. He understood that he wished, whatever the progress of Upper Canada, to retain the present position of things--to keep the control which Lower Canada had exercised over the entire representation of Upper Canada. The hon. member, too, talked about passing the bill by a mere majority, and sending it home; and yet the hon. member a few days ago had declared that he could not proceed one step in a bill which was said to be opposed to the Union Act. He (Mr. Boulton) did not believe that the hon. member's desire was to avoid corruption; but that he desired now to place the representation on the present basis; but at the highest number that would be required by a much larger population than at present, and he hoped thus to put shackles on any future change, which might in ten or twelve years be called for by the people of Upper Canada. This was evidently true, because New York state, with twice the population, required no more than 150 members.²⁹ He ... submitted that 150 members were too many³⁰. At the same time he (Mr. Boulton) confessed that the people were dissatisfied with the present inequality of the representation. He knew that Lower Canada counties with 10,000 souls had one member, while Sherbrooke with 800 population had one member also.³¹ The hon. member was continuing his remarks when³²--

MR. CAUCHON called attention to the half-hour rule.³³

MR. MORIN the SPEAKER said it had been dispensed with.³⁴

MR. SOL. GEN. DRUMMOND thought the rule was made with the understanding that it should be relaxed only in cases when the mover of an important measure might require a little extension of time. He thought the relaxation that evening was only for the Attorney General (East) on that ground.³⁵

MR. MORIN the SPEAKER [then] reminded ... [Mr. Boulton] that the half hour allotted had expired.³⁶

MESSRS. INSP. GEN. HINCKS, COM. CR. LANDS PRICE and others, said that ... their understanding ... [was the same as Mr. Drummond's]³⁷.

MR. INSP. GEN. HINCKS insisted that the rule should be adhered to.³⁸

Other members maintained that an understanding had been come to that on this question--involving as it did considerations of paramount importance--full latitude should be afforded for the expression of opinion by every member.³⁹

MESSRS. MACKENZIE, SMITH, SIR A. MACNAB, and others, contended for the full discussion.⁴⁰

MR. M. CAMERON intimated that he intended to vote for the bill, but would not if discussion were stopped.⁴¹

The result was, that the rule was given up on this occasion⁴².

The hon. member for Norfolk, MR. H. BOULTON, was allowed to complete his speech: at the close of which, he moved⁴³ in amendment that the increase of population should depend upon the increase of representation at the rate of one member for 20,000, two under 30,000, and three if over 40,000.⁴⁴

MR. AT. GEN. LAFONTAINE said, at that rate the population between 30,000 and 40,000 would have no member at all.⁴⁵

COL. PRINCE had voted against this bill formerly and would not say that he would vote for the second reading. But he confessed he looked at it in a more favorable light⁴⁶ now⁴⁷ than on a former occasion, and for this reason--the division of counties bill had nearly become law; and he would like to know what would become of the new counties, unless some change was made. If he did change his opinion he was by no means singular⁴⁸ and he was desirous of keeping up with the change of the time.⁴⁹ In doing so he only followed the example of ... greater men⁵⁰ such ... as⁵¹ Sir Robert Peel and the Duke of Wellington,⁵² and men of that stamp⁵³ who had changed their opinions⁵⁴ in the case of the repeal of the Catholic Restriction Act, and the Corn Laws⁵⁵ [and] upon Free Trade and other questions.⁵⁶ He looked upon it as, in the strictest sense, a Conservative measure, tending to carry out the fundamental principle of the British constitution.⁵⁷ He asked if the Bill did not resemble the Reform Bill in England⁵⁸. It was a bill to enlarge the representation; and he would like to know on what grounds⁵⁹ and upon [what] principle hon. gentlemen could⁶⁰ urge that the many⁶¹ new counties⁶² which were set apart by the Electoral Division Bill, should be denied the privilege of being represented in Parliament, as was proposed by the bill⁶³. He looked upon it as a Canadian Reform Bill, and he approved of the bill rather than condemned it. It was whispered abroad that this bill was destructive of British interests in Lower Canada. He would listen to see if it would be urged in debate. If it meant that it destroyed British interests in the proportion of the French he denied it.⁶⁴ If that were proved to be so, he would vote against the bill, but he did not intend to do so, merely because it might be that the French population increased as they did in the reign of Charlevoix who reported that the French ladies were of all others the best able to fill up a new colony.--But while that population increased, was there any reason to fear that the British population would not increase too. However, he took a larger view.⁶⁵ He regarded the idea that it would enable the Lower Canadians to swamp the British population, as unfounded and ungenerous.⁶⁶ Was there not an increase of English population in Montreal and Quebec and the Eastern Townships? He maintained that the population would increase, both of the French and English. But the bill was for the increase of the Representatives, and in committee he would see what is to be done with the⁶⁷ second reading of this bill, with a view to examining its details in committee--especially in reference to the necessity of amending such absurdities as that which gave one member to⁶⁸ small towns⁶⁹ [and] rotten boroughs, such as Cornwall and others⁷⁰ while larger constituencies returned no more.⁷¹ But supposing the bill to become law and the evils to arise which are anticipated, what is to prevent a new Parliament from remodelling the representation again. Is it, however, to be denied now to put the representation on a proper basis.⁷² He thought that though Upper Canada might, at some future time, demand a larger increase, that was no reason why it should not have as large an increase as it required at present.⁷³

MR. H. SMITH (Frontenac) had examined the bill attentively, and was at a loss to discover on what principle the members were to be increased to 75. He asserted that this bill and the Counties Division Bill were introduced⁷⁴ by the present Administration, with a view to ulterior [sic] interests,--the main one being⁷⁵ nothing else than to maintain the present party in power⁷⁶ in Upper Canada⁷⁷. With that view it had been altered considerably from the bill last session⁷⁸ so far as concerns Upper Canada.⁷⁹ He pointed out the alterations of the present bill on that of last year.⁸⁰ In the bill of last year every County constituency having 15,000 inhabitants was allowed two members. (He read the Counties from last year's bill.)⁸¹ The whole bill was a jest⁸² [and] he would shew the job now intended.⁸³ In the present bill the county of Frontenac was to have but one member, while the counties of Glengarry, Welland and Halton, both [sic] smaller populations, were to have two. Now the county of Frontenac had a population of 16,914⁸⁴ including Amherst Island, with 1213, which Island was not to be included in the county. Bird Island, and several other places, however, were included

without union of population. Yet Glengary, with 15,361⁸⁵ was to have two members⁸⁶ as appeared upon the very return signed by Mr. Hincks and his Deputy as the return on which the bill is founded.⁸⁷ So Halton, with 16,668⁸⁸ also having a less population than Frontenac is allowed two members, so also the county of Welland⁸⁹ with 16,418, was to have two members,⁹⁰ and why? because these were Reform counties.⁹¹

MR. INSP. GEN. HINCKS here interrupted Mr. Smith frequently.⁹²

MR. H. SMITH [continued:] But again, how was it that it was proposed to give the county of Frontenac two members last year and only one this; for then it was not proposed to annex Amherst Island to Frontenac.⁹³

MR. INSP. GEN. HINCKS said the new bill was not based upon the return.⁹⁴

MR. H. SMITH: Again, how was it that some counties were to send two members like Hastings and Glengary, & c., while the county of Lennox and Addington were [sic] to be separated in two. It was just because in the latter county it was hoped by these means to secure one ministerial member.⁹⁵ Mr. Smith then demanded upon what principle he was called upon to vote for an increase of representation, when there appeared no⁹⁶ destined⁹⁷ principle in making it. It was a notorious job, by which reform constituencies were to get more than their share of representatives, while Conservative ones were to get less. The⁹⁸ divisions and arrangements⁹⁹ of some counties and the joining on of townships to others¹⁰⁰ were altogether arbitrary and designated only to serve party interest.¹⁰¹ [He] desired to call attention to some counties in Lower Canada--Sherbrooke¹⁰² county having only 14,700¹⁰³ inhabitants was to have two members while counties in Upper C., with¹⁰⁴ much greater population ... he showed, were to have only one.¹⁰⁵

MR. CHAUVEAU said it was an English constituency.¹⁰⁶

MR. H. SMITH said he did not care for that, he wanted to see a principle. He denied that ... the country asked for an increase still there ought to be some principle in making it.¹⁰⁷ He did not deem any large addition to the number of members necessary, but if any were to be made, let it be done on some tenable principle such as representation according to population.¹⁰⁸ The Attorney General talked about the support the ministry had received in the country. He believed, on the contrary, that the confidence of Upper Canada had been gradually decreasing till it was now almost impossible to keep their followers together, and he had no idea that what the Attorney General said was true, that hereafter there would be fifty-four members to vote in its favor. The fact was that it was based on a principle and would do nothing but injustice. The hon. member for Essex, who had his own reasons for changing his views, had said he waited to hear reasons against¹⁰⁹ it, and for thinking it would swamp British interests in Lower Canada;¹¹⁰ but he had waited a very short time and had left the house now¹¹¹ after delivering his speech without waiting to hear anything.¹¹²

MR. PAPINEAU spoke at length against the bill¹¹³ [and] asked if the bill contained anything new. The arguments were exhausted. He was no more favorable to the present bill than to the last,¹¹⁴ and he was not more friendly to the amendment proposed¹¹⁵ [by] Mr. Boulton¹¹⁶. The same vicious principle prevailed in one and in the other; in both cases, the plan proposed was arbitrary¹¹⁷ [and] behind the wants of the age¹¹⁸ and [also] behind the example of all other countries where constitutional changes had been made of late years¹¹⁹ except England, which from its slow growth, had been saddled with many abuses, notwithstanding the many other sources of grandeur which she possessed. But did any one suppose that the statesmen of England, if they could begin again, would refrain from placing the country on the same footing of political equality as prevailed in the United States, and as had been copied in France and Belgium.¹²⁰ If Great Britain were to adopt a constitution

for the first time, she would frame it upon the wants of the community for which it was to be made. If she could do so, we would hear nothing of the close boroughs. But she was fettered by the practice of ages. But in Canada, what was to hinder an honest ministry, a liberal ministry, backed by such a majority as the present, from bringing in a liberal measure. He was friendly to an increase of the representation, but upon a principle of numbers.¹²¹ What cause was there ... why in Canada the representation should not be based upon population.¹²² He maintained that as the bill had been supported by a large majority, and steadily resisted by the minority, it was impossible but its provisions would be a topic at the approaching elections, and to the constituencies, and a future Parliament, he was disposed to refer it.¹²³ At the late election in Upper Canada, it was hoped that every town and every county would be represented according to its numbers.¹²⁴ He was opposed to any difference being established between Town and County populations. They ought to be put on the same footing.¹²⁵ He spoke thus, lest it should be supposed he was inimical to an increased representation. He was in favour of it¹²⁶ and always had been¹²⁷ for he had always said that the popular branch was the only safeguard for the country. The hon. member had said that if this bill were again passed by a less majority than two-thirds, that England would grant the bill. He thought that was not a proper remark, for he was of opinion that it was calculated to interfere with the free exercise of hon. members' judgments. However, there was no doubt that at the next election, when the question was submitted to the people, the question must be decided. If the Ministry had desired to carry the bill, and had based it at first upon any fair principle, instead of discussing the measure it would now be carried. As it was it was only a little less unjust than before to Lower Canada, which at present had a larger population than Upper Canada.¹²⁸ Had the ministry passed a fair bill, when they first introduced their present batch, Lower Canada would have been entitled to a larger share of representatives than Upper Canada, now by the more rapid increase of population, Upper Canada would be entitled to it. He repudiated the equality of numbers to each Province, when Lower Canada should have had the larger number, reckoning by population, as a gross injustice. He repudiated now the same equality if Upper Canada were entitled to the greater number, because it was still an injustice. For that reason, he opposed the bill.¹²⁹ Oh! but, said the hon. Attorney General to that objection you do not understand my trick. I submit to a light and transcendent injustice in Lower Canada, in order that hereafter I may have Upper Canada under my thumb. That was a false calculation--it was shutting one's eyes to the real influences which must hereafter govern the country; and it was better to begin at once honestly and fairly. There was more reason now than at previous periods for postponing the measure, for an appeal would shortly be made to the country, and a census would shortly determine the population of all parts of the Province.¹³⁰ The Federal Government of the Union ordered a census every 10 years, for the purpose of arranging the representation, and it was a wise system.¹³¹ In the United States the proportion of the population was changed every ten years so that all had the same proportionate weight.¹³² There ought to be a census, and then a representative bill. He was equally opposed to the amendment, because it left the towns as they were. Now, if those towns were of ancient standing, and had gained the franchise by services to the State, as many of the towns of England, he would hesitate before making a change. But they owed it to the bad purposes of a bad man, and were only of 10 years standing. They had no title to the distinction.¹³³ With regard to corruption, it would have shown much greater dislike of it had Minister[s] consented to some of the many bills introduced during the Parliament, to restrain the power of the Ministry to appoint members in office. The only difference would be that Ministers, instead of being besieged by two or three, would be hereafter besieged by ten or twelve.¹³⁴

MR. INSP. GEN. HINCKS said he agreed with the previous speaker that nothing new can be said upon this subject.¹³⁵ The hon. member for St. Maurice pretended to be in favor of an increase of representation.¹³⁶ (Mr. Papineau) was known to be opposed to the present Union of the Provinces¹³⁷ and will, therefore, always oppose such a measure.¹³⁸ He [Mr. H.] maintained that the Union cannot be carried on except by having a representation based upon an equality for each Province. In course of time the number of members from Upper Canada would be so large as to carry measures independent of Lower Canada. It was necessary to make mutual concessions.--¹³⁹ The hon. gentleman has said the inhabitants of the two Provinces are ignorant of each other's wishes and interests,--if so, how could the Union be carried on by making a difference in their representation.¹⁴⁰ There were some common interests between the two sections of the Province, as the construction of railroads, canals, the currency too.¹⁴¹ There was nothing to prevent our revenue from being collected in common, our post office, our railways and canals could be carried on in common.¹⁴² There was nothing to prevent our Union for the carrying out our great works, and for an equal regulation of all matters of public interest.¹⁴³ But the laws between the two sections was [sic] ultimately different; and the municipal and other local laws could not be rendered precisely the same.¹⁴⁴ Where there were differences of laws and religion, it was necessary to give equal representation to both sections of the Province.¹⁴⁵ The principle on which we should go was, to consult as far as possible the wishes of each section.¹⁴⁶ At the present time there was no great disparity of the population of the two sections, and there was no use of creating present trouble by looking to the future.¹⁴⁷ He could only act according to present circumstance.¹⁴⁸ The principle upon which the present bill was named, was upon in fact, apportionment of territorial divisions.¹⁴⁹ It was true that electoral divisions were not exactly laid out, neither were they in the neighbouring States.¹⁵⁰ The electoral districts were now in the present bill exactly laid out on the basis of population; truly it was impossible to reduce the whole of the districts to this principle. It had not been thought expedient to do so.¹⁵¹ It was [also] not thought expedient to go upon the principle of disfranchising these places at present represented.¹⁵² No great measure of this kind could be carried out unless concessions were made, and he had always been ready to do so--to members on both sides of the House.¹⁵³ All had agreed that an increase of the number of representatives was necessary, but because it did not suit the interests of some hon. gentlemen, they opposed it.¹⁵⁴ He went on to condemn¹⁵⁵ ... the hon. member for Haldimand, and some other members for their opposition to the bill, contending that they were not true reformers, and that the country would so judge them.¹⁵⁶ Such members as the representatives of Norfolk, Haldimand and St. Maurice, while allowing the necessity of an increase of representation, would do their utmost to defeat the measure. They might succeed; but the people of Upper Canada would know who were the true advocates of their interests.¹⁵⁷ He was willing to go to the country upon that bill, satisfied that the people of U.C. would judge of it correctly.¹⁵⁸ The objections made by the hon. member for Frontenac were of the most paltry description, and not such as should be made by any statesman against a bill like that before the House¹⁵⁹ at the present stage¹⁶⁰; they were only¹⁶¹ paltry arguments¹⁶² such as should be made in committee, and not at a second reading, when a principle was discussed¹⁶³ [and they] were unworthy of that gentleman.¹⁶⁴

MR. H. SMITH said, "you cant [sic] answer it".¹⁶⁵

MR. INSP. GEN. HINCKS: I can shew that the term jobbing is not deserved.¹⁶⁶ His [Mr. S's] argument was that the county of Frontenac was not exactly on the same footing as the county of Glengarry. He could show that his statements relating to the change from last year were untrue. Sixty-seven constituencies were in the same position on the present bill as in that of last year.¹⁶⁷ It

must be evident that when several counties returned two members and others only one, that there must be a point where the numbers of the population of two counties must meet and apparent a justice be done; but that could not be avoided. He cited some instances in support of this view.¹⁶⁸ He said that there were 21 counties in last year's bill sending two members, and 16 sending one.¹⁶⁹ The changes were in the counties of York, Welland, &c., and those changes had been made to suit the express wishes of the inhabitants of these counties respectively.¹⁷⁰ The County of York, ... now would send only three, when by its previous division into ridings, it sent four. The new counties of Grant, &c., were to send two.¹⁷¹

MR. MACKENZIE--Explain the change in the counties of Huron and Bruce.¹⁷²

MR. INSP. GEN. HINCKS--The bill was not framed to meet the provisions of the Territorial Divisions Bill. It could not have been so. That bill, as proposed by the Government, had been altered in that House.¹⁷³ But in making up the numbers, injustice was inevitable to some counties. But with respect to Frontenac, the Counties Division Bill had struck off Amherst Island from it, at the request of members opposite, and brought it down below Glengarry.¹⁷⁴

Several members said, "no, it is 2000 larger still."¹⁷⁵

MR. INSP. GEN. HINCKS: Well he went by the returns, but admitted they might be wrong.¹⁷⁶

MR. MACDONALD.--The county of Glengarry is less in population than that of Frontenac.¹⁷⁷

MR. INSP. GEN. HINCKS.--He was then prepared, if that member could make his course good, to give that county two members. He did not wish to stick by all the provisions of his bill. He would consent to alterations by Committee.¹⁷⁸ With regard to the opinions of the hon. member for Kent, and some others who held that 150 members were too many, and who wanted only 120. Well, he (Mr. H.) could say that he would go for 120 in committee,¹⁷⁹ or any modification which did not affect its principle.¹⁸⁰ He stated that, to show his sincerity in favour of the principle of the bill, he would not defeat it by objections to details.¹⁸¹ All he wished was to meet the requirements of the country by increasing the representation. He believed the country would sustain him in the measure now before the House. All reasonable alterations the Government were prepared to consider in Committee.¹⁸²

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On motion of Mr. Gugy, seconded by the Honorable Mr. Boulton,

Ordered, That the Debate be adjourned until Tuesday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed
until to-morrow.

Then, on motion of Mr. Solicitor General Macdonald,¹⁸³ seconded by the Honorable Mr. Hincks,

*The House adjourned.*¹⁸⁴

FOOTNOTES: 25 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 July 1851, MONTREAL GAZETTE, 31 July 1851, and NORTH AMERICAN, 1 August 1851. The following papers noted the debate in identical accounts: GLOBE, 29 July 1851, PILOT, 2 August 1851, and OTTAWA CITIZEN, 9 August 1851.
2. BRITISH COLONIST, 29 July 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. MONTREAL GAZETTE, 31 July 1851.
8. The following papers reported the debate on this matter in identical accounts: EXAMINER, 30 July 1851, and BATHURST COURIER, 5 August 1851. The following papers reported the debate in partially identical accounts: GLOBE, 29 July 1851, BRITISH COLONIST, 29 July 1851, MONTREAL GAZETTE, 31 July 1851, MONTREAL TRANSCRIPT, 31 July 1851, NORTH AMERICAN, 1 August 1851, PILOT, 2 August 1851, HAMILTON SPECTATOR, 2 August 1851, which copied from BRITISH COLONIST, OTTAWA CITIZEN, 9 August 1851, and LA MINERVE, 5 August 1851. A commentary appeared in LA MINERVE, 2 August 1851. MONTREAL GAZETTE, 31 July 1851, did not report LaFontaine's speech, commenting that "Mr. LaFontaine's speech is too long for our columns, besides his arguments have all been repeated ad nauseam [sic]."
9. PILOT, 2 August 1851.
10. HAMILTON SPECTATOR, 2 August 1851.
11. BATHURST COURIER, 5 August 1851.
12. HAMILTON SPECTATOR, 2 August 1851.
13. PILOT, 2 August 1851.
14. HAMILTON SPECTATOR, 2 August 1851.
15. LA MINERVE, 5 August 1851.
16. HAMILTON SPECTATOR, 2 August 1851.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. BRITISH COLONIST, 29 July 1851.
24. HAMILTON SPECTATOR, 2 August 1851.
25. IBID.
26. IBID.
27. BATHURST COURIER, 5 August 1851.
28. PILOT, 2 August 1851.
29. HAMILTON SPECTATOR, 2 August 1851.
30. BATHURST COURIER, 5 August 1851.
31. HAMILTON SPECTATOR, 2 August 1851.
32. PILOT, 2 August 1851.
33. IBID.
34. IBID.
35. IBID.
36. PILOT, 2 August 1851.
37. HAMILTON SPECTATOR, 2 August 1851.
38. PILOT, 2 August 1851.
39. IBID.
40. HAMILTON SPECTATOR, 2 August 1851.

41. IBID.
42. PILOT, 2 August 1851.
43. IBID.
44. HAMILTON SPECTATOR, 2 August 1851.
45. IBID.
46. IBID.
47. PILOT, 2 August 1851.
48. HAMILTON SPECTATOR, 2 August 1851.
49. BRITISH COLONIST, 29 July 1851.
50. MONTREAL GAZETTE, 29 July 1851.
51. HAMILTON SPECTATOR, 2 August 1851.
52. MONTREAL GAZETTE, 29 July 1851.
53. HAMILTON SPECTATOR, 2 August 1851.
54. MONTREAL GAZETTE, 29 July 1851.
55. HAMILTON SPECTATOR, 2 August 1851.
56. MONTREAL GAZETTE, 29 July 1851.
57. PILOT, 2 August 1851.
58. HAMILTON SPECTATOR, 2 August 1851.
59. PILOT, 2 August 1851.
60. HAMILTON SPECTATOR, 2 August 1851.
61. PILOT, 2 August 1851.
62. HAMILTON SPECTATOR, 2 August 1851.
63. PILOT, 2 August 1851.
64. MONTREAL GAZETTE, 29 July 1851.
65. HAMILTON SPECTATOR, 2 August 1851.
66. PILOT, 2 August 1851.
67. MONTREAL GAZETTE, 29 July 1851.
68. PILOT, 2 August 1851.
69. HAMILTON SPECTATOR, 2 August 1851.
70. MONTREAL GAZETTE, 29 July 1851.
71. PILOT, 2 August 1851.
72. MONTREAL GAZETTE, 29 July 1851.
73. BRITISH COLONIST, 29 July 1851.
74. MONTREAL GAZETTE, 29 July 1851.
75. PILOT, 2 August 1851.
76. HAMILTON SPECTATOR, 2 August 1851.
77. PILOT, 2 August 1851.
78. HAMILTON SPECTATOR, 2 August 1851.
79. MONTREAL GAZETTE, 29 July 1851.
80. BATHURST COURIER, 5 August 1851.
81. MONTREAL GAZETTE, 29 July 1851.
82. PILOT, 2 August 1851.
83. MONTREAL GAZETTE, 29 July 1851.
84. HAMILTON SPECTATOR, 2 August 1851. NORTH AMERICAN, 1 August 1851, gave the figure as 16,214.
85. HAMILTON SPECTATOR, 2 August 1851. MONTREAL GAZETTE, 29 July 1851, gave the figure as 13,000.
86. HAMILTON SPECTATOR, 2 August 1851.
87. MONTREAL GAZETTE, 29 July 1851.
88. HAMILTON SPECTATOR, 2 August 1851.
89. MONTREAL GAZETTE, 29 July 1851.
90. HAMILTON SPECTATOR, 2 August 1851.
91. MONTREAL GAZETTE, 29 July 1851.
92. According to MONTREAL GAZETTE, 29 July 1851, Hincks "here got warm".
93. HAMILTON SPECTATOR, 2 August 1851.

94. MONTREAL GAZETTE, 29 July 1851.
95. HAMILTON SPECTATOR, 2 August 1851.
96. MONTREAL GAZETTE, 29 July 1851.
97. PILOT, 2 August 1851.
98. MONTREAL GAZETTE, 29 July 1851.
99. PILOT, 2 August 1851.
100. MONTREAL GAZETTE, 29 July 1851.
101. PILOT, 2 August 1851.
102. HAMILTON SPECTATOR, 2 August 1851.
103. MONTREAL GAZETTE, 29 July 1851.
104. IBID. HAMILTON SPECTATOR, 2 August 1851, gave the figure as 14,000.
105. HAMILTON SPECTATOR, 2 August 1851.
106. MONTREAL GAZETTE, 29 July 1851.
107. IBID.
108. PILOT, 2 August 1851.
109. HAMILTON SPECTATOR, 2 August 1851.
110. MONTREAL GAZETTE, 29 July 1851.
111. HAMILTON SPECTATOR, 2 August 1851.
112. MONTREAL GAZETTE, 29 July 1851.
113. BATHURST COURIER, 5 August 1851.
114. MONTREAL GAZETTE, 29 July 1851.
115. PILOT, 2 August 1851.
116. MONTREAL GAZETTE, 29 July 1851.
117. PILOT, 2 August 1851.
118. MONTREAL GAZETTE, 29 July 1851.
119. PILOT, 2 August 1851.
120. BRITISH COLONIST, 29 July 1851.
121. MONTREAL GAZETTE, 29 July 1851.
122. BRITISH COLONIST, 29 July 1851.
123. MONTREAL GAZETTE, 29 July 1851.
124. BRITISH COLONIST, 29 July 1851.
125. MONTREAL GAZETTE, 29 July 1851.
126. BRITISH COLONIST, 29 July 1851.
127. PILOT, 2 August 1851.
128. BRITISH COLONIST, 29 July 1851.
129. MONTREAL GAZETTE, 29 July 1851.
130. BRITISH COLONIST, 29 July 1851.
131. MONTREAL GAZETTE, 29 July 1851.
132. BRITISH COLONIST, 29 July 1851.
133. MONTREAL GAZETTE, 29 July 1851.
134. BRITISH COLONIST, 29 July 1851.
135. MONTREAL GAZETTE, 29 July 1851.
136. PILOT, 2 August 1851.
137. MONTREAL GAZETTE, 29 July 1851.
138. PILOT, 2 August 1851.
139. MONTREAL GAZETTE, 29 July 1851.
140. PILOT, 2 August 1851.
141. BRITISH COLONIST, 29 July 1851.
142. MONTREAL GAZETTE, 29 July 1851.
143. PILOT, 2 August 1851.
144. BRITISH COLONIST, 29 July 1851.
145. MONTREAL GAZETTE, 29 July 1851.
146. PILOT, 2 August 1851.
147. BRITISH COLONIST, 29 July 1851.
148. PILOT, 2 August 1851.

149. BRITISH COLONIST, 29 July 1851.
150. MONTREAL GAZETTE, 29 July 1851.
151. PILOT, 2 August 1851.
152. BRITISH COLONIST, 29 July 1851.
153. PILOT, 2 August 1851.
154. MONTREAL GAZETTE, 29 July 1851.
155. According to BRITISH COLONIST, 29 July 1851, Hincks spoke "in warm and severe terms".
156. BRITISH COLONIST, 29 July 1851.
157. PILOT, 2 August 1851.
158. MONTREAL GAZETTE, 29 July 1851.
159. BRITISH COLONIST, 29 July 1851.
160. MONTREAL GAZETTE, 29 July 1851.
161. BRITISH COLONIST, 29 July 1851.
162. PILOT, 2 August 1851.
163. BRITISH COLONIST, 29 July 1851.
164. PILOT, 2 August 1851.
165. MONTREAL GAZETTE, 29 July 1851.
166. IBID.
167. PILOT, 2 August 1851.
168. BRITISH COLONIST, 29 July 1851.
169. MONTREAL GAZETTE, 29 July 1851.
170. PILOT, 2 August 1851.
171. MONTREAL GAZETTE, 29 July 1851.
172. PILOT, 2 August 1851.
173. IBID.
174. MONTREAL GAZETTE, 29 July 1851.
175. IBID.
176. IBID.
177. PILOT, 2 August 1851.
178. IBID.
179. BRITISH COLONIST, 29 July 1851.
180. MONTREAL GAZETTE, 29 July 1851.
181. BRITISH COLONIST, 29 July 1851.
182. PILOT, 2 August 1851.
183. MONTREAL GAZETTE, 29 July 1851, reported that: "A motion to adjourn was here made, to go to a ball at the Governor's."
184. PILOT, 2 August 1851, noted that "the House adjourned at a quarter to 9 o'clock, P.M."

SATURDAY, 26 JULY 1851.

(195)

Petitions
brought up.

THE following Petition was brought up, and laid on the table:--

By the Honorable Mr. Baldwin,--The Petition of Thomas Ward, of Port Hope, County of Durham, Esquire.

Petitions
read.

Pursuant to the Order of the day, the following Petitions were read:--

Of H.J. Noad, Esquire, and others, merchants, of the City of Quebec, and others; praying that the Bill to provide for defraying the expense of the River Police at Quebec, may be so amended as to exempt Vessels under 200 tons burthen, engaged in the coasting trade at and below Quebec, from the tax therein proposed to be levied.

Of Alexander McRae and others, Members of the Wesleyan Methodist Church, of the City of Hamilton; praying that the Bill to incorporate the Benevolent Societies of the Wesleyan Methodist Church in Canada, may not pass into a Law.

Private Bills.

Resolved, That the time for receiving Reports of Standing and Select Committees on Private or Local Bills, be further extended until Saturday next.

Bill to raise
the rate of
Interest in
Upper Canada.

Ordered, That Mr. Smith of Durham have leave to bring in a Bill to establish the legal rate of Interest at seven per cent in Upper Canada.

Penitentiary
Management
Bill.

An engrossed Bill for the better management of the Provincial Penitentiary, was, according to Order, read the third time.

The Honorable Mr. Price moved, seconded by Mr. Solicitor General Macdonald, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Cartier, Chabot, Chauveau, Dumas, Egan, Flint, Fournier, Fourquin, Guillet, Holmes, Johnson, Lacoste, Lemieux, Letellier, Solicitor General Macdonald, McFarland, Méthot, Mongenais, Nelson, Notman, Price,

(196)

Ross, Sauvageau, Scott of TWO MOUNTAINS, Smith of DURHAM, and Viger.--(29.)

NAYS.

Messieurs Boulton of TORONTO, Crysler, Macdonald of KINGSTON, Malloch, McLean, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(8.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Price do carry the Bill to the Legislative Council, and desire their concurrence.

Primogeniture
Abolition Bill.

An engrossed Bill to abolish the right of Primogeniture in the succession to Real Estate held in fee simple or for the life of another in Upper Canada, and to provide for the division thereof amongst such of the Relatives of the last proprietor as may best accord with the relative claims of such parties in the division thereof, was, according to Order, read the third time.

The Honorable Mr. Baldwin moved, seconded by the Honorable Mr. Price, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Boulton of NORFOLK, Cartier, Cauchon, Chabot, Chauveau, Duchesnay, Egan, Fergusson, Flint, Fortier, Fournier, Guillet, Holmes, Hopkins, Johnson, Lacoste, Attorney General LaFontaine, Lemieux, Malloch, McConnell, McFarland, Méthot, Mongenais, Nelson, Notman, Polette, Price, Ross, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Smith of DURHAM, Stevenson, and Viger.--(35.)

NAYS.

Messieurs Boulton of TORONTO, Cryslar, Lyon, Macdonald of KINGSTON, McLean, Sherwood of TORONTO, and Smith of FRONTENAC.--(7.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Baldwin do carry the Bill to the Legislative Council, and desire their concurrence.

Physic and
Surgery Law
Amendment
Bill (L.C.).

The Order of the day for the second reading of the Bill further to amend the Law relative to the practice of Physic, Surgery, and Midwifery, in Lower Canada, being read;¹

DR. LATERRIERE moved the second reading of the bill to amend the law relative to the Practice of Physic in Lower Canada.²

*The Honorable Mr. LaTerrière moved, seconded by Mr. Fortier, and the Question being proposed, That the Bill be now read a second time;
And a Debate arising thereupon;*

MR. HOLMES requested the hon. member to postpone the motion. He thought that he should be able to show the propriety at least of amending it; but at present an hon. member who had petitions and other documents opposed to the bill in this House was not present.³

DR. LATERRIERE replied, but in a voice quite inaudible in the gallery⁴.

(196)

Ordered, That the Debate be adjourned until Monday next, and be then the first Order of the day.

Library
Associations
and Mechanics'
Institutes Bill.

The Order of the day for the second reading of the Bill to provide for the incorporation and better management of Library Associations and Mechanics' Institutes, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Wednesday next.

Distribution of
the Laws Bill.

The Order of the day for the second reading of the Bill to repeal the Act providing for the distribution of the printed copies of the Provincial Statutes, and to make better provision for the distribution thereof, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Bill relating to
Deer and the
Game Laws.

The Order of the day for the second reading of the Bill to prevent the hunting of Deer with Hounds at improper seasons of the year, and further to amend the Laws for the preservation of Game, being read;

The Bill was accordingly read a second time.

Mr. McFarland moved, seconded by Mr. Smith of Frontenac, and the Question being put, That the Bill be now committed to a Committee of the whole House; the House divided:--And it was resolved in the Affirmative.

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Macdonald took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Macdonald reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

The Honorable Mr. Macdonald reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Tolls in Mills
Bill (U.C.).

The Order of the day for the second reading of the Bill to regulate the quantity of remuneration to be taken by way of Toll in Mills in Upper Canada, being read;

Mr. Lyon moved, seconded by Mr. Egan, and the Question being proposed, That the Bill be now read a second time;⁵

COL. PRINCE moved the second reading of the bill that day six months; saying that there was no difference made in the bill between water and steam mills, though it was well known that steam mills cost more to grind flour and did their work better.⁶

Several gentlemen shortly expressed their intention to vote for or against the bill⁷.

(196)

Mr. Prince moved in amendment to the Question, seconded by Mr. Hopkins, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Burritt, Cameron of CORNWALL, Caushon, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Flint, Fortier, Fourquin, Guillet, Hall, Hopkins, Johnson, LaTerrière, Lemieux, Letellier, McFarland, McLean, Price, Prince, Sauvageau, Sherwood of TORONTO, and Smith of DURHAM.--(26.)

NAYS.

Messieurs Bell, Boulton of TORONTO, Chabot, Davignon, Dumas, Fournier, Lyon, Solicitor General Macdonald, Malloch, Méthot, Meyers, Mongerai, Nelson, Notman, Papineau, Polette, Ross, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, and Stevenson.--(20.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Bill relating
to Chartered
Road Companies.

The Order of the day for the House in Committee on the Bill to provide against Chartered Road Companies allowing their Roads to remain in disrepair, and for other purposes therein mentioned, being read;

The House accordingly resolved itself into the said Committee.

Mr. Sauvageau took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sauvageau reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

Bill relating to
Municipalities
acquiring
Public Works.

The Order of the day for the House in Committee on the Bill to remove doubts as to Municipal Corporate Bodies acquiring Public Works without the limits of such Municipalities, being read;

The House accordingly resolved itself into the said Committee;

(197)

Mr. Gugy took the Chair of the Committee; and after some time spent therein;

Mr. Speaker resumed the Chair;

And Mr. Gugy reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

Joint Stock
Companies
Bill, (L.C.).

The Order of the day for the second reading of the Bill to extend the provisions of the Act authorizing the formation of Joint Stock Companies in Lower Canada for constructing Roads, being read;⁸

COL. GUGY moved the second reading of the bill to amend the act authorizing the formation of road companies in Canada East.⁹

(197)

Mr. Gugy moved, seconded by Mr. Christie, and the Question being proposed, That the Bill be now read a second time;

[This] was opposed by MR. ARMSTRONG¹⁰.

(197)

Mr. Armstrong moved in amendment to the Question, seconded by the Honorable Mr. Chabot, That the word "now" be left out, and words "this day six months" added at the end thereof;

[The original motion] was supported by MR. SOL. GEN. DRUMMOND who explained that the object was to permit companies to make Canals, improve Rivers, &c., on similar terms as companies could now construct roads. He thought at the same time it might be proper to give Government some power to regulate the rate of tolls, &c., on works constructed under the present act.¹¹

(197)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Boulton of TORONTO, Cameron of CORNWALL, Cameron of KENT, Cartier, Cauchon, Chauveau, Davignon, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Holmes, Hopkins, Johnson, Lacoste, LaTerrière, Laurin, Lemieux, Letellier, McFarland, Méthot, Mongenais, Nelson, Notman, Papineau, Polette, Prince, Sanborn, Scott of TWO MOUNTAINS, Stevenson, and Viger.
--(35.)

NAYS.

Messieurs Badgley, Bouthillier, Chabot, Christie, Solicitor General Drummond, Gugy, Malloch, McConnell, McLean, and Ross.--(10.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Lumber Act
Explanation
Bill.

The Order of the day for the second reading of the Bill to explain a certain provision of the Act regulating the inspection and measurement of Lumber, being read;¹²

MR. LAURIN moved the second reading of the timber measurement bill.¹³

(197)

Mr. Laurin moved, seconded by Mr. Ross, and the Question being proposed, That the Bill be now read a second time;

Mr. Christie¹⁴ moved in amendment to the Question, seconded by Mr. McLean, That the word "now" be left out, and the words "this day six months" added at the end thereof;

The bill was supported by MR. CHABOT¹⁵.

MR. LETELLIER [opposed the bill] as a restriction on commerce, which prevented its augmentation.¹⁶

It was also opposed by MESSRS. CHRISTIE and EGAN.¹⁷

MR. ROSS said that the present bill was not to alter the law, but to amend it. The fact was that the judges had so interpreted the law as to make it unintelligible or nugatory. At present the law had no effect at all.¹⁸

MR. M. CAMERON said that he introduced the law, and of course knew its intention. That intention was just carried out by the present interpretation of the law. The act, when he brought it in, had been stoutly opposed by the Hon. Mr. Moffatt, on behalf of the trade on the ground that it would compel the inspection of timber. He (Mr. Cameron) had disclaimed that opinion, and had stated that the only object was to have some disinterested parties to inspect timber, when it was sold on condition of being so inspected--that it was not intended to cause any one to have his timber inspected, unless he desired it himself.¹⁹

(197)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bell, Boulton of NORFOLK, Burritt, Cameron of CORNWALL, Cameron of KENT, Christie, Crysler, Solicitor General Drummond, Dumas, Egan, Fergusson, Flint, Hincks, Holmes, Hopkins, Johnson, Letellier, Lyon, Solicitor General Macdonald, Mackenzie, Malloch, McConnell, McLean, Meyers, Morrison, Papineau, Price, Prince, Sanborn, Scott of BYTOWN, and Stevenson.--(32.)

NAYS.

Messieurs Armstrong, Chabot, Chauveau, Davignon, Duchesnay, Fournier, Fourquin, Guillet, Jobin, Lacoste, LaTerrière, Laurin, Lemieux, Nelson, Polette, Ross, Taché and Viger.--(18.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Bill relating
to County Grammar
Schools (U.C.).

The Order of the day for the second reading of the Bill to repeal the provision limiting the distance between the County Town and any additional Grammar School in the same County, in Upper Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Sheriffs'
Appointment
Bill (U.C.).

*The Order of the day for the second reading of the Bill to provide for the appointment of the Sheriffs of Counties in Upper Canada at periodical Elections by the Freeholders, being read;*²⁰

MR. MACKENZIE moved the second reading of the bill for the election of sheriffs. He said that the charge of corruption was at present bandied about the House, he knew not with what justice; but it was certain that the Government had far too much patronage. There were, at this day five shrievalties about to be filled up in the new counties; and it was well known that people expected these offices to be given to political instruments. In England sheriffs were formerly elected. Now, they were generally named by Judges, who nominated three persons, from whom the Crown selected one. They only served one year, however; and if they died they were succeeded by the coroner, who was always elective. He enlarged at some length upon the evils which attended the present method of appointing local officers and magistrates, and mentioned that immediately after the late Haldmand election, a new batch of magistrates were [sic] appointed, with no other qualification than that they had voted for Brown. He asserted that there was a strong feeling in the country in favor of his bill; and that if it were not passed, the fact of his introducing it would still be productive of beneficial effects, notwithstanding that his words might not be thought worth while taking down by the reporters; the people would still see the yeas and nays. He made some further remarks on the general principle of appointing officers by the central government, and electing them by the people.²¹

MR. FLINT seconded the motion.²²

(197)

Mr. Mackenzie moved, seconded by Mr. Flint, and the Question being proposed, That the Bill be now read a second time;

Mr. Malloch moved in amendment to the Question, seconded by Mr. Stevenson, That the word "now" be left out, and the words "this day three months" added at the end thereof;

MR. FLINT spoke in support of the bill, and only regretted that it did not include other officers.²³

MR. H. BOULTON followed, supporting the bill on the general principle of election being the best suited for the appointment of Sheriffs; and contending that there was much need for such a measure from the present condition of the Sheriffs in the country.²⁴

MR. SHERWOOD did not see any use in going to extremes, but he believed that some change should be made in the appointment of Sheriffs and was willing to adopt the English system in the Counties of allowing the Judges of Assize to select three persons and recommend them to the Superior Court, for the Judges of that Court to recommend to the Government, and one of them be selected for three years. He would vote for the second reading of the bill, for the purpose of referring it to a Select Committee to have this change made in it; and if it were not done he would vote against its third reading.²⁵

MR. SOL. GEN. MACDONALD opposed the bill, making a speech of some length, arguing that the principle sought to be introduced was incompatible with our system of Government.²⁶

MR. J. CAMERON argued that no analogy could be made between the office of Sheriff in this country and in England, as in England the duties of the Sheriff were performed by the Deputy Sheriff. He went on to show that the appointment of Sheriffs should be left in the hands of the Government.²⁷

MR. MACKENZIE replied, contending for the necessity of introducing the principle of responsibility to the office of Sheriff, and illustrating by his own case, when he was compelled to leave the province in a hurry. He stated, that he left property, in books and other things, to the value of \$1200, which went into the hands of Sheriff Jarvis for an alleged debt of about \$300, and that when he came back to the country, he desired to get some intelligence of how it had gone; yet he had never been able to learn anything of it. Now, he would have been able to get such intelligence if the office of sheriff had been elective.²⁸

MR. G. SHERWOOD spoke against the bill, and said it appeared to him that the hon. member for Haldimand had brought in the bill out of spite to the Sheriff of this District.²⁹

MR. MACKENZIE denied this; and stated that he had voted for a similar bill before the events he alluded to had happened.³⁰

MR. SHERWOOD went on speaking against the principle of the bill.³¹

MR. COM. CR. LANDS PRICE asked how the hon. member would get elective sheriffs to give security? It could not be done. He observed with regard to the case which Mr. MacKenzie had stated, that the sheriff of this district had acted improperly in refusing the information which was asked of him. Any public officer was bound to give such information. He believed that two persons not having the fear of God before their eyes, had sworn that Mr. MacKenzie had left the country for the purpose of defrauding his creditors, while they knew it was not for that purpose that he left. Mr. Price further stated that he did not believe the claims were just for which Mr. MacKenzie's property was seized.³²

MR. H. SHERWOOD replying to a remark in Mr. MacKenzie's speech, said that some statements in a city newspaper (the North American, we believe) relative to him in the matter of the late Clergy Reserve meeting were entirely false.³³

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Fortier, Fournier, Fourquin, Guillet, Hincks, Jobin, Lacoste, LaTerrière, Laurin, Letellier, Solicitor General Macdonald, Malloch, McLean, Méthot, Nelson, Polette, Ross, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, Taché, and Watts.--(39.)

NAYS.

Messieurs Boulton of NORFOLK, Burritt, Crysler, Flint, Hopkins, Mackenzie, McFarland, and Papineau.--(8.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day three months.

J.A. Roebuck
Esquire.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 23rd July, 1851, for copies of all Correspondence which has taken place between Her Majesty's Secretary of State for the Colonies, and the Government of this Province, upon the subject of the claim of John Arthur Roebuck, Esquire, and of all documents accompanying the same.

Appendix
(W.W.).

For the said Return, see Appendix (W.W.).

Ordered, That the said Return be printed for the use of the Members of this House.

Archbishopric
and Bishoprics.

The Honorable Mr. Hincks also presented, pursuant to an Address to His Excellency the Governor General,-- Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 23d July, 1851, for copies, 1. Of the Queen's Letters Patent under authority of which the Protestant Bishoprics of Quebec and Montreal have been erected or established: 2. Of the Queen's Letters Patent, dated 29th January, 1845, in favor of the Roman Catholic Archbishop of Quebec, and dated 17th August 1839, in favor of the Roman Catholic Bishop of Montreal, giving these Prelates certain corporate powers, to which two latter documents reference is made in the 136th chapter of the Provincial Statutes of 1849: 3. Of the Queen's Letters Patent under authority of which the Protestant Bishopric of Toronto was separated from the former Diocese of Quebec, and established as a separate See.

Appendix
(X.X.).

For the said Return, see Appendix (X.X.).

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Ordered, That the said Return be printed for the use of the Members of this House.

Orders
deferred.

Ordered, That such Orders of the day as are undisposed of at the adjournment of the House this day, be postponed until Monday next.

Bill to vacate
Seats of Members
in certain cases.

The Order of the day for the second reading of the Bill to render vacant the Seats of Members of the Legislative Assembly in certain cases, being read;³⁴

MR. ROSS moved the second reading of the bill to vacate the seats of members in certain cases. He asserted that he had brought in the bill on his own responsibility, and had not consulted the ministry. He denied that its action was intended to be retrospective, as he would consider such a principle to be wrong and suicidal.³⁵

MR. MACKENZIE opposed the bill. If it was right that parties who took a particular side in civil commotions, such as occurred in England in 1688, in the United States in 1777, and here in 1836-- who, because they did not succeed, were called rebels-- if such parties in any future troubles were, after being pardoned by the sovereign for suffering the penalty of the law, to be excluded from the legislature, then he (Mr. M.) ought to be expelled [from] that House, and so ought several other gentlemen who took part in the affairs of 1837. When a man, engaged in such troubles, is restored to all the rights of citizenship, on what ground was he to be subjected to the restrictions of this bill. The insults that were constantly aimed at him, (Mr. M.) and which he did not choose to repel, were indirectly offered through him to thousands whose friends took a like course, and who sympathized with those who did so. He did not defend the course he then took or what he then said. He deprecated the frequent allusions to these events, as calculated to be productive of nothing but injury. The historian would tell the whole truth, and declare who were the real traitors in 1837. If this bill, passed, it would be a great insult to a large number of people in Upper Canada, and a great majority of the people of Lower Canada.³⁶

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Mr. Ross moved, seconded by the Honorable Mr. Chabot, and the Question being proposed, That the Bill be now read a second time;

Mr. Bouthillier moved in amendment to the Question, seconded by Mr. Cartier, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chauveau, Crysler, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Flint, Fortier, Fournier, Fourquin, Guillet, Hinks, Hopkins, Jobin, Lacoste, LaTerrière, Laurin, Lemieux, Solicitor General Macdonald, Mackenzie, McLean, Méthot, Mongenais, Nelson, Papineau, Polette, Sauvageau, Scott of TWO MOUNTAINS, Stevenson, Taché, and Watts.--(39.)

NAYS.

Messieurs Chabot, Malloch, and Ross.--(3.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Magistrates
Protection
Bill.

The Order of the day for the House in Committee on the Bill to amend and consolidate the Laws affording protection to Magistrates and others in the performance of public duties, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cauchon took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cauchon reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Cauchon reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Then, on motion of the Honorable Mr. Boulton, seconded by the Honorable Mr. Cameron of Cornwall,

The House adjourned until Monday next.

FOOTNOTES: 26 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 July 1851, GLOBE, 29 July 1851, NORTH AMERICAN, 1 August 1851, HAMILTON SPECTATOR, 2 August 1851, which misdated the debate as 28 July 1851, PILOT, 2 August 1851, and OTTAWA CITIZEN, 9 August 1851.
2. BRITISH COLONIST, 29 July 1851.
3. IBID.
4. IBID.
5. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 July 1851, GLOBE, 29 July 1851, NORTH AMERICAN, 1 August 1851, HAMILTON SPECTATOR, 2 August 1851, which misdated the debate as 28 July 1851, PILOT, 2 August 1851, and OTTAWA CITIZEN, 9 August 1851.
6. BRITISH COLONIST, 29 July 1851.
7. IBID.
8. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 July 1851, GLOBE, 29 July 1851, NORTH AMERICAN, 1 August 1851, PILOT, 2 August 1851, and OTTAWA CITIZEN, 9 August 1851.
9. BRITISH COLONIST, 29 July 1851.
10. IBID.
11. IBID.
12. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 July 1851, GLOBE, 29 July 1851, HAMILTON SPECTATOR, 2 August 1851, which misdated the debate as 28 July 1851, MORNING CHRONICLE, 4 August 1851, and OTTAWA CITIZEN, 9 August 1851.
13. BRITISH COLONIST, 29 July 1851.
14. According to BRITISH COLONIST, 29 July 1851, Mr. Holmes made this motion.
15. BRITISH COLONIST, 29 July 1851.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 29 July 1851, GLOBE, 29 July 1851, EXAMINER, 30 July 1851, MONTREAL GAZETTE, 31 July 1851, NORTH AMERICAN, 1 August 1851, HAMILTON SPECTATOR, 2 August 1851, which misdated the debate as 28 July 1851, PILOT, 2 August 1851, BATHURST COURIER, 5 August 1851, and OTTAWA CITIZEN, 9 August 1851.
21. BRITISH COLONIST, 29 July 1851.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 July 1851, GLOBE, 29 July 1851, EXAMINER, 30 July 1851, NORTH AMERICAN, 1 August 1851, HAMILTON SPECTATOR, 2 August 1851, which misdated the debate as 28 July 1851, PILOT, 2 August 1851, and OTTAWA CITIZEN, 9 August 1851.

35. BRITISH COLONIST, 29 July 1851.
36. IBID.

MONDAY, 28 JULY 1851.

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Petitions
brought up.

THE following Petitions were severally brought up,
and laid on the table:--

By Mr. Flint,--The Petition of J.G. Bowes, Esquire,
and others, of the City of Toronto, members of the Wesleyan Methodist Church in
the said City.

By Mr. Mongenais,--The Petition of F. DeSales Bastien, Notary, Secretary-
Treasurer of the Municipality of the County of Vaudreuil, on behalf of the said
Municipality.

By the Honorable Mr. Boulton,--The Petition of James Lyons, Civil Engineer,
of the City of Hamilton.

By Mr. Holmes,--The Petition of the Company of Proprietors of the Champlain
and St. Lawrence Railroad; and the Petition of the Reverend Henry Wilkes, D.D.,
and others, Congregationalists of the City of Montreal.

By the Honorable Mr. Badgley,--The Petition of the Right Reverend the Lord
Bishop of Montreal, and others, the Ministers and Church Wardens of the several
Churches and Chapels belonging to the Church of England in the said City.

Petitions
read.

Pursuant to the Order of the day, the following
Petitions were read:--

Of Michael O'Monaghan and others, of the Township of
Osprey, County of Simcoe; representing that they were induced, on the faith of
the Government, to settle upon and improve certain lands in the Districts of
Wellington and Simcoe, and that the said lands are now advertised for sale, and
praying that the original terms under which they settled on those lands may be
adhered to.

Of Jacob Misener and others, of the vicinity of the River Welland; praying
for the passing of an Act to provide for the construction of such a description
of Bridge across the said River as shall allow of the free navigation thereof.

Of Thomas Ward, of Port Hope, in the County of Durham, Esquire; praying
indemnification for the loss sustained by him as Clerk of the Peace for the said
County, by reason of the reduction made in the tariff of fees of the said office,
by recent enactments.

Fifteenth
Report of
Committee on
on Standing
Orders.

The Honorable Mr. Sherwood, from the Standing
Committee on Standing Orders, presented to the House the
Fifteenth Report of the said Committee; which was read,
as followeth:--

Your Committee have examined the Petitions of Clarke
Gamble, Esquire, and of the Niagara Harbour and Dock
Company, praying for authority to dispose of their respective interests in the
property of the said Company, and they do not consider them to be of such a
nature as to require the publication of notice.

They have also examined the Petition of the Honorable George Crookshank,
and find that notice has been duly given.

Eleventh Report
of Committee on
Private Bills.

The Honorable Mr. Chabot, from the Standing Committee
on Miscellaneous Private Bills, presented to the House
the Eleventh Report of the said Committee; which was
read, as followeth:--

Your Committee have examined the Bill to transfer the place of holding the
Meetings of the Municipal Council of the Municipality of Drummond, Number Two,
from French Village in the Township of Kingsey, to the Village of Stanfold in
the said Municipality, and have agreed to report the same without any amendment.

They have also examined the Bill to incorporate the Quebec Music Hall Assoc-
iation, and have agreed to certain amendments which they beg leave to submit to
the consideration of Your Honorable House.

Quebec Music
Hall Assoc-
iation Bill.

to-morrow.

Ordered, That the Bill to incorporate the Quebec Music Hall Association, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for

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Bill relating
to the
Municipality
of Drummond.

and read the third time to-morrow.

Ordered, That the Bill to transfer the place of holding the Meetings of the Municipal Council of the Municipality of Drummond, Number Two, from French Village in the Township of Kingsey, to the Village of Stanfold in the said Municipality, be engrossed,

Petition of
W. Winder.

Ordered, That the Petition of William Winder, Esquire, Librarian to this House, be referred to the Standing Committee on Contingencies.

Montreal Marine
Mutual Insurance
Company Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the Marine Mutual Insurance Company of Montreal," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 3, line 5. Leave out from "in" to "any" in line 6.

Press 3, line 7. Leave out from "traffic" to "and" in line 8, and insert "but nothing herein contained shall prevent the said Company from selling any goods, wares, or merchandizes, or other effects of what nature or kind soever, of which they may become possessed, or which may be abandoned to them by the insured, in virtue of any policy of insurance on such goods, wares, or merchandizes, or other effects."

Press 3, line 45. After "Young" insert "and".

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Badgley do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Commutation of
Property Bill.

Ordered, That Mr. Christie have leave to bring in a Bill the better to facilitate the Commutation of Property held en roture in Crown Fiefs and Seigniories, in cases of the valuation of such Property by mutual agreement, under a certain Act therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Library.

Ordered, That it be an Instruction to the Committee appointed to assist Mr. Speaker in the direction of the Library, to consider the expediency of sending a competent person to Europe for the purpose of purchasing such classes of works as are necessary for the reconstruction of the Library of the two Branches of the Legislature, under such instructions as the Speaker and the said Committee shall deem advisable.

Resolved, That the foregoing Order be communicated to the Honorable the Legislative Council, by Message.

Ordered, That the Honorable Mr. Chabot do carry the said Message to the Legislative Council.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,

Rectories.

Ordered, That the Entries in the Journals of the House of Assembly of the Province of Upper Canada, of the 5th February, 1838, relating to the endowment of certain Rectories, be now read;

And the same were read accordingly.¹

MR. INSP. GEN. HINCKS brought forward his resolutions on the rectories, pledging the House to indemnify the Government for paying the expenses on both sides, in a friendly suit against the rectors². [He expressed] the hope that there would be no opposition.³ It was exceedingly desirable, for all parties, that the vexed question of the rectories should be settled. He had framed the resolutions with a sincere hope that they would meet the requirements of the case, and that they would receive the support of all parties.⁴ He stated that the suit being for the settling of a public question the expenses should be borne by the public generally. He dilated upon the desirability of settling the question by this means. The following are the resolutions:--

That an humble address be presented to His Excellency the Governor General, to acquaint his Excellency that doubts have for many years existed in the public mind as to the legality of the proceedings by which certain Rectories or Parsonages were from time to time erected and endowed within the late Province of Upper Canada;

That in consequence of representation made to Her Majesty's Imperial Government on the subject, the opinion of the Law Advisers of the Crown was taken by Lord Glenelg, then Principal Secretary of State for the Colonies, in the year 1838, which opinion was given on the 8th June of the same year, to the effect that the erection and endowment of the said Rectories were not "valid and lawful acts."

That on the 6th July, 1837, a Despatch was addressed by Lord Glenelg to Lieut. Governor Sir F.B. Head, in which his Lordship states it as his opinion, that some method should be found of bringing the question to an adjudication with the least possible delay, inconvenience and expense, and in which he instructs the Lieut. Governor to consult with the Bishop and Arch-Deacon of the Church of England, as the best means of testing the legality of the endowments in an amicable manner;

That owing to subsequent representations from the present Bishop of Toronto, the Law Advisers of the Crown were induced to change their opinion, and to declare that the said Rectories were legally constituted and erected;

That this opinion has not had the effect of quieting the public mind in Upper Canada, and that in order to set the question finally at rest, this House humbly prays that his Excellency will take immediate steps to bring the question of Law full to adjudication, in such a manner as will enable either party to bring the cause of appeal under the view of the Judicial Committee of the Privy Council, and this house pledges itself to make good all necessary expenses attendant on such proceedings.⁵

MR. H. SHERWOOD approved of the resolutions, believing that they had been framed with a view to the settlement of the question, and to no spirit of hostility to the rectories. He suggested that the expense of counsel on both sides should be borne by the province, and that the rectors should be allowed to employ their own counsel.⁶

MR. AT. GEN. LAFONTAINE made a few remarks nearly inaudibly but he was

understood to assent to the proposition of Mr. Sherwood.⁷

MR. NOTMAN objected to ... [Mr. Sherwood's suggestion]. The country should of course bear the expenses of testing the question on the part of the people; but it would be wrong to impose on the Province the expenses of defending the claims of the rectors who had enjoyed the privileges long enough.⁸

MR. MACKENZIE commenced by ridiculing the unanimity that had suddenly sprung up and seized upon some hon. members.⁹ [He] commented on the harmony which existed on this question between different parties in the House, and deduced from the circumstance a belief that it was the result of a connivance to shirk this question, for electioneering purposes.¹⁰ He went on to speak against the address, contending that the proposition contained in it was ridiculous. It was ridiculous to send to Mr. Blake, chancellor, to decide the question if Mr. Blake, rector, was legally possessed of his rectory.¹¹ It was twaddle to talk of leaving the question of the rectories to be settled by lawyers; lawyers had given their opinions long ago; the people had made up their minds in reference to the rectories and the only honest, manly course, on the part of the Parliament would be, to pass a bill abolishing the rectories. There was no use for further parley. If the government entertained an idea that the rectors had a right to the rectories, let a bill be passed saying so; if, on the other hand, they deemed the rectories an evil, let an end be put to them, taking care to provide for the interest of the present incumbents.¹² [He] declared the resolutions were a mere farce to cheat the people of Upper Canada. He did not think the Inspector General would have brought in such a scheme were it not for pressure from the Attorney General East.¹³ It was painful to see the Inspector General sacrificing his real views on the question at the bid of the Lower Canada party, led by the Attorney General East. His majority had already stood in the way of religious reforms and public education, and now they were to stifle public opinion of Upper Canada, in regard to one of the most scandalous and dishonest transactions that could be found in colonial history.¹⁴ The rectories were illegally erected, and at the expense of the people of the Province. It was grossly unjust to establish them, and more unjust to appropriate the public money to pay for resisting the wrong in a Court of law.¹⁵

MR. INSP. GEN. HINCKS thought it due to the House and the country, to state that he was prepared to stand by his resolutions¹⁶. It was [also] due to the Attorney General East to state most distinctly that he (Mr. H.) cordially agreed with him on this question, and was quite willing to take the responsibility of the course now proposed. He would not be a party to any proceeding by which vested rights--patents given by the Crown--should be distributed by Act of Parliament. He defied the member for Haldimand to point to a single expression that he (Mr. H.) ever uttered, during his public life, that warranted the conclusion that he ever entertained any other views. He said now, as he had always said, that if these patents were legally vested in these parties, he was prepared to maintain them.¹⁷ He entertained the opinions now, he had always done respecting the Rectories, and never had said nor thought that any vested right should be interfered with, which had been secured by patent from the Crown.¹⁸

MR. MACKENZIE here interrupted and¹⁹ said he would accept the Inspector General's challenge. He held in his hand a document signed "R.W. Baldwin,²⁰ President," and "Francis Hincks, Secretary", published in the Correspondent and Advocate,²¹ of 1837,²² in which the friends of civil and religious liberty throughout the province²³ of Upper Canada²⁴ were requested at the then approaching election²⁵ not to support any candidate who should not give a pledge in writing that he would oppose the erection of all rectories for the future, (loud cries of hear.) Gentlemen should not shout before they get out of the wood. He went on to read--and the abolition of the existing rectories²⁶ by appeal to law.²⁷

MR. INSP. GEN. HINCKS said there was not a word in that document which he was not prepared now to maintain, of which was inconsistent with his course on the occasion.²⁸ He was not then in public life, going to an election, but now he was, and never would propose that any right conferred by patent, should be destroyed by Act of Parliament. It was a tyranny which no majority should be guilty of.²⁹ He attached no importance to what people might say out of doors. He should abide by his own views, and cared nothing about public opinion in the matter.³⁰ He further expressed his belief that the peace of the country required the action proposed to be taken.³¹

MR. AT GEN. LAFONTAINE spoke in reply to Mr. Mackenzie³²....He was understood to taunt Mr. MacKenzie with not desiring to get this question settled, that he might have it for purposes of agitation. Were it not so he should joyfully support the resolution before the House.³³ [He] maintained that when letters patent are issued, even illegally, Parliament was not the place to bring the case for adjudication, but the courts of law. He did not, however, understand the principle of the hon. member for Haldimand. His objection seems to be, that the Rectories were made in favor of the Church of England, for it was only the other day that he supported the incorporation bill of the Methodists, "because they were a useful and powerful body." The hon. member wanted apparently to make the House of Assembly a judicial tribunal to decide upon private rights.³⁴ The question was one purely of equity.³⁵

MR. NOTMAN considered that the persons in possession of the Rectories, were illegally so, and he would oppose their being saved the expense attendant upon their illegal usurpation. They had rendered no service to the country, and got hold of the lands by improper means.³⁶ [He] asked why the people of Canada should be taxed to protect persons who might be proved to have no legal right to the property they now held.³⁷ If the expenses of defending the side of the Rectories, whichever side might gain, were to be borne by the people of this Province, he should vote gainst [*sic*] the resolutions.³⁸ He was satisfied that the whole system of the rectories was unjust in the extreme; and contended³⁹ ... that the time had come when the people of the province would insist on all denominations being placed on an equality. At present, the Church of England had undue preference, to the manifest injustice of other denominations; but the people declared on all suitable occasions, that there should be free and equal justice to all denominations; and therefore he was prepared to vote against the resolutions, believing that they bore the meaning that had been imputed to them.⁴⁰ He stated that he should bring in a short bill upon this question⁴¹ [of which] he had given notice⁴² upon which he did not wish to make a long speech, nor occupy the time of the House.⁴³ He should put it to the House in its broadest aspect in order that the country might learn who those were that declaim at elections in favour of religious equality, but who forgot their promises and principles as soon as they became possessed of power; and who maintain the privileges of one class of christians at the expense of another.⁴⁴ He would find out those who gave pledges on the hustings, and when they got into power violated them.⁴⁵

MR. COM. CR. LANDS PRICE spoke in answer to Mr. Notman, expressing a hope that he had not expressed his deliberate opinion, but had spoken merely from a temporary ebullition of anger.⁴⁶ He hoped that the speech just delivered had been well reported. He (Mr. Notman) had complained of a lot in the Town of London, sold by the Church of England for \$24,000. With reference to that, he (Mr. Price) had only to say, that small lots are granted to religious denominations of all kinds, and in this case, the lot had increased in value, as the lots of other churches were by the small villages of to-day becoming large towns to-morrow their property increased in value accordingly. He asked whether in trying the

the question of Rectories it would be fair to saddle one individual rectory with the whole expense, when the matter was one of interest to the whole country?⁴⁷ He was in favor of the Inspector General's proposition because he believed it to be the only means of settling the great question. If the Judicial Tribunals decided that the patents were legal he was willing to sit down under that decision; but he would not sit quietly under a condition of things that places one denomination in a position of superiority to all others.⁴⁸ Considering the bad feeling which this question had excited, and the consequent desirableness that existed for settling it satisfactorily, the expenditure of a few hundreds of pounds was not worth consideration, if that expenditure were calculated to bring about a fair judicial decision. He was prepared to vote for the bill of the member for London, and for the resolutions now before the House, being convinced that they presented the only legitimate and reasonable way in which the question could be settled.⁴⁹

MR. J. CAMERON followed, speaking in answer to Mr. Notman, taunting him with a desire of promoting anarchy and confusion⁵⁰. [He] said that the member for Middlesex (Mr. Notman) was opposed to anything relating to the church, so much so, that he left the committee on the bill now under consideration, and went away-- because he seemed desirous that the question should never be settled. The members of the Church of England have met the question in a fair spirit, although gentlemen like the member referred to had thrown out against them all kinds of assertions to the contrary.⁵¹ Mr. Cameron hoped that the reform party would not, until the clear Grits got the reigns of government, favor the principle of confiscating all property on the mere ipse dixit of the Legislature.⁵² [He] was glad to find from this motion that the reform party of Upper Canada, so far from succumbing to the revolutionary and anarchical designs of the Clear Grits, were prepared to resist all attempts to confiscate property.... This question never could be settled by public clamour, by newspaper controversy, or, political claptrap, but must be left to be settled, as was now proposed⁵³ by the government in⁵⁴ the judicial tribunal.⁵⁵ The hon. member shrunk from this test, which he knew was a just means of finding out whether these rectories were the frauds they were commonly said to be. He wished to avoid such a test, and to have recourse to agitation and spoliation to accomplish his wishes.⁵⁶ If it proved that fraud existed when they were granted, the members of the Church of England will be the first to say to the crown to resume them.⁵⁷ He [Mr. C.] did not want his church to have these rectories if their rights were tainted by fraud, but he would not let the charges of fraud and chicanery and deception be taken for granted. It had been said that it was the fact of the rectories existing to which the people of this country were opposed. What powers did these rectories confer? None. Were the clear grits prepared to take from all the denominations the lands given to them to build Churches on; because if you confiscate one you must confiscate all. If the rectories have been established by fraud let them fall, but if they have been legally established do not touch them.⁵⁸ But it was said that it was not the land that the member for Middlesex and his confrères was so wroth against, but it was the corporation erected by them. Now could any one of them shew, in what the superiority existed of the Church of England, over other denominations by the rectory? No, not one of them, because there was none.⁵⁹ He was not sorry at the declarations of the member for Middlesex, who had revealed his true character, and the ultimate consequences of whose principles would be the confiscation of an unwarranted amount of property. If he and the member for Haldimand were to have their own way, no man's property would be safe.⁶⁰ He prayed God to defend this country from an administration composed of such men as the hon. member for Middlesex and the hon. member for Haldimand.⁶¹

MR. AT. GEN. BALDWIN said a few words in explanation of the document read by Mr. Mackenzie. He could speak of the views of the person who signed it, and he

could state that no man ever felt more solemn obligations to respect the law of the land. He stated that the abolition proposed in that instrument⁶² bore⁶³ precisely⁶⁴ the construction which the Inspector General had put upon it. The document called upon the electors of U.C. to vote only for men who were prepared to vote for doing away with all power of creating rectories in future, and for the abolition of those that had been established. But his did not justify the construction that it was intended to abolish the Rectories by an Act--by confiscation--but by such a course as that which the hon. member for Oxford now proposed--namely, by application to investigate the legality of the establishment of the Rectories. It was known that their legality has all along been questioned; and therefore, when any one spoke of the abolition of the Rectories, it was to be inferred that such an abolition was contemplated as the law of the land would justify.⁶⁵ The gentlemen who signed the resolutions that had been read were in favor of preserving vested rights; and the abolition of the rectories there spoken of were only intended to be effected in accordance with law.⁶⁶ The abolition by confiscation was never intended, and never could be.⁶⁷ It had become fashionable to talk of the will of this House and of a will out of doors as justifying any and every act; but no act could be just unless based on the eternal principles of justice; it was no matter what were the opinions of this House if opposed to these principles.⁶⁸ There were some things that should be decided by the immutable laws of right and wrong, no matter what was the opinion out of doors. He censured the proposition of which Mr. Notman had given notice as an act of spoliation, which he did not think the House would entertain.⁶⁹ He (Mr. B.) objected altogether to such sweeping changes as the member for Middlesex proposed--changes which revealed the extreme opinions of the hon. member in all their naked deformity. That hon. member had declared his readiness to bring in a bill to abolish by an act these rectories, and it was to be hoped that he would be consistent enough to apply the same measure of confiscation to all denominations.⁷⁰ Let the hon. member for Middlesex alter his motion and extend it to all Church property.⁷¹ Let the spoliation be a sweeping one; let the property of the⁷² Free Presbyterian Church⁷³ the Methodists, ... [the] Roman Catholics⁷⁴ as well as [the] Episcopalian[s]⁷⁵ all go. Let him make it an act of even-handed injustice all round.⁷⁶ He felt convinced that if this principle were adopted no man's property would be worth a year's purchase.⁷⁷ He knew what it was to make speeches on the hustings, and to a populace; but he did not think that the people of Upper Canada would be long deceived.⁷⁸ Well meaning persons might be misled by claptrap speakers, but the great mass of the people were not so to be deluded.⁷⁹ At all events, whether the delusion were or were not to spread over the land, it was the duty of every man of principle to stand in the gap and resist it.⁸⁰ On his (Mr. H.'s) part, he could not forget it was the duty of a legislator to steer his course, according to the principles of eternal justice, rather than the demands of popular clamour.⁸¹

(199)

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being put, That an humble Address be presented to His Excellency the Governor General, to acquaint His Excellency that doubts have for many years existed in the public mind as to the legality of the proceedings by which certain Rectories or Parsonages were from time to time erected and endowed within the late Province of Upper Canada: That in consequence of representations made to Her Majesty's Imperial Government on the subject, the opinion of the Law Advisers of the Crown was taken by Lord Glenelg, then Principal Secretary of State for the Colonies, in the year 1837, which opinion was given on the 8th June of the same year, to the effect that the erection and endowment of the said Rectories were not "valid and lawful acts:" That on the 6th July, 1837, a Despatch was addressed by Lord Glenelg to Lieutenant Governor Sir. F.B. Head, in which His Lordship states it as his opinion, that some method should be found of bringing the question to an adjudication with the least possible delay, inconvenience and expense, and in which he

instructs the Lieutenant Governor to consult with the Bishop and Archdeacon of the Church of England, as to the best means of testing the legality of the endowments in an amicable manner: That owing to subsequent representations from the Bishop of Toronto, the Law Advisers of the Crown were induced to change their opinion, and to declare that the said Rectories were legally constituted and erected: That this opinion has not had the effect of quieting the public mind in Upper Canada; and that in order to set the question finally at rest, this House humbly prays that His Excellency will take immediate steps to bring the question of Law fully to adjudication, in such a manner as will enable either party to bring the cause by Appeal under the view of the Judicial Committee of the Privy Council, and this House pledges itself to make good all necessary expenses attendant on such proceedings; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Crysler, Duchesnay, Dumas, Flint, Fortier, Fournier, Ecurquin, Guay, Guillet, Hall, Hincks, Holmes, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McConnell, McFarland, McLean, Merritt, Méthot, Meyers, Mongenais, Morrison, Nelson, Papineau, Polette, Price, Robinson, Ross, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, Taché, Viger, and Watts.--(58.)

NAYS.

Messieurs Hopkins, Mackenzie, and Notman.--(3.)
So it was resolved in the Affirmative.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Montreal
Harbour Act
Amendment Bill.

Bill, intituled, "An Act to alter the rates of Wharfage payable in certain cases in the Harbour of Montreal:"

Bill relating to
Ottawa Street in
Cayuga.

Bill, intituled, "An Act to close up part of Ottawa Street in the Village of Cayuga:"

Kingston Water
Works Act Amend-
ment Bill.

Bill, intituled, "An Act to amend the Act, intituled," "An Act to incorporate the City of Kingston Water Works Company:"

Absent Defen-
dants' Bill.

Bill, intituled, "An Act to provide a remedy against absent Defendants:"

(200)

Twynam's
Attorney Bill.

Bill, intituled, "An Act to authorize the Courts of Queen's Bench, Common Pleas, and of Chancery, in Upper Canada, to admit William Edwin Twynam to practise as an Attorney and Solicitor therein:"

Petit Jurors Pay-
ment Bill, (U.C.).

Bill, intituled, "An Act to provide for the payment of Petit Jurors in Upper Canada:"

Transfer of
Real Property
Bill (U.C.).

liable under execution."

Bill, intituled, "An Act to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, "An Act to simplify the transfer of real Property in Upper Canada, and to render certain rights and interests therein

A. Thompson's
Road Allowance
Bill.

Bill, intituled, "An Act to vest a certain allowance for Road in the Township of Woodhouse, in the County of Norfolk, in Andrew Thompson:" And also,

Building
Societies Bill,
(L.C.).

The Legislative Council have passed the Bill, intituled, "An Act to amend an Act to encourage the establishment of Building Societies in Lower Canada," with several Amendments, to which they desire the concurrence of this House: And also,

Debtors
Effects Attach-
ment Bill.

The Legislative Council have passed the Bill, intituled, "An Act to enable Creditors to attach the effects of Debtors about to leave the Province, in cases under Ten pounds," with an Amendment, to which they desire the concurrence of

this House.

And then he withdrew.

Bill relating to
Deer and the
Game Laws.

An engrossed Bill to prevent the hunting of Deer with Hounds at improper seasons of the year, and further to amend the Laws for the preservation of Game, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. McFarland do carry the Bill to the Legislative Council, and desire their concurrence.

Magistrates
Protection Bill.

The Order of the day for the third reading of the engrossed Bill to amend and consolidate the Laws affording protection to Magistrates and others in the performance of

public duties, being read;

The Honorable Mr. Cameron of Cornwall moved, seconded by Mr. Christie, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Boulton of NORFOLK, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Christie, Crysler, Davignon, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Hall, Hincks, Holmes, Hopkins, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McLean, Merritt, Méthot, Meyers, Mongenais, Morrison, Nelson, Notman, Papineau, Polette, Price, Prince, Robinson, Ross, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Stevenson, Viger, and Watts.--(56.)

NAYS.

Messieurs Chauveau, and Taché.--(2.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cameron of Cornwall do carry the Bill to the Legislative Council, and desire their concurrence.

Navigation of
the Inland Waters.

The Order of the day for the third reading of the engrossed Bill to amend an Act, intituled, "An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the navigation of the waters of this Province," being read;⁸²

MR. J. CAMERON (Cornwall) moved the third reading of the bill to amend the Navigation Act.⁸³

(200)

The Honorable Mr. Cameron of Cornwall moved, seconded by Mr. Christie and the Question being proposed, That the Bill be now read the third time;

MR. ROSS stated that there were two clauses in the bill to which he had objected before, and to which he would now move an amendment. The clauses he referred to were those which provided that the steamboat when at rest should not carry a greater head of steam than she had when under way....He [then] read [the amendment]⁸⁴.

(200)

Mr. Ross moved in amendment to the Question, seconded by Mr. Lemieux, That all the words after "now" to the end of the Question be left out, in order to add the words "recommitted for the purpose of amending the fifth and seventh Clauses, by inserting in the fifth Clause after the word "Boilers" in the thirty-seventh line, the words "and the heaviest pressure of steam to which such Boilers ought to be subjected during the period to which such inspection is to apply, as well when stationary as when running, thereby establishing a rate of pressure for each, and shall not deliver such certificate unless such vessel shall be provided with such steam guage as is hereinafter required;" and by amending and reforming the seventh Clause, so that the same shall stand and be as followeth: "And be it enacted, That in a conspicuous and easily accessible place in every such steam vessel, there shall be a steam guage properly constructed, and open to the view of all passengers and others on board such vessel, and shewing at all times the true pressure of the steam in the Boilers thereof; and whenever the Master of any such boat or vessel, propelled wholly or in part by steam, or the person or persons charged with navigating the same, shall stop the motion or headway of such boat or vessel, or when such boat or vessel shall be stopped for the purpose of discharging or taking in cargo, fuel, or passengers, he or they shall open the safety-valve, so as to keep the steam down in the said Boiler to the pressure limited as aforesaid, under the penalty of fifty pounds for every contravention of this provision; and that if any Master or Engineer of any such steam vessel shall at any time allow the pressure of steam, to which the Boilers of such steam vessel shall be subjected, to exceed that limited by such certificate as aforesaid, or shall alter or conceal, or otherwise deal with such steam guage as aforesaid, so as to prevent the real pressure of steam from being seen and ascertained by any passenger, he shall thereby incur a like penalty of fifty pounds for every such offence" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Bouthillier, Cauchon, Chabot, Davignon, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Hall, Hopkins, Jobin, Johnson, Lacoste, LaTerrière, Laurin, Lemieux, McLean, Méthot, Mongenais, Notman, Polette, Ross, Sanford, and Scott of BYTOWN.--(27.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Cameron of CORNWALL, Cayley, Christie, Crysler, Fergusson, Hincks, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McFarland, Merritt, Papineau, Price, Prince, Robinson, Stevenson, and Taché.--(19.)

So it was resolved in the Affirmative.

Then the main Question so amended, being put;

Resolved, That the bill be now recommitted for the purpose of amending the fifth and seventh Clauses, by inserting in the fifth Clause after the word "Boilers" in the thirty-seventh line, the words "and the heaviest pressure of steam to which such Boilers ought to be subjected during the period to which such inspection is to apply, as well when stationary as when running, thereby establishing a rate of pressure for each, and shall not deliver such certificate unless such vessel shall be provided with such steam guage as is hereinafter required;" and by amending and reforming the seventh Clause, so that the same shall stand and be as followeth:

(201)

And be it enacted, That in a conspicuous and easily accessible place in every such steam vessel, there shall be a steam guage properly constructed, and open to the view of all passengers and others on board such vessel, and shewing at all times the true pressure of the steam in the Boilers thereof; and whenever the Master of any such boat or vessel, propelled wholly or in part by steam, or the person or persons charged with navigating the same, shall stop the motion or headway of such boat or vessel, or when such boat or vessel shall be stopped for the purpose of discharging or taking in cargo, fuel, or passengers, he or they shall open the safety-valve, so as to keep the steam down in the said Boiler to the pressure limited as aforesaid, under the penalty of fifty pounds for every contravention of this provision; and that if any Master or Engineer of any such steam vessel shall at any time allow the pressure of steam, to which the Boilers of such steam vessel shall at any time allow the pressure of steam, to which the Boilers of such steam vessel shall be subjected, to exceed that limited by such certificate as aforesaid, or shall alter or conceal, or otherwise deal with such steam guage as aforesaid, so as to prevent the real pressure of steam from being seen and ascertained by any passenger, he shall thereby incur a like penalty of fifty pounds for every such offence."

The House accordingly resolved itself into the said Committee.

Mr. Davignon took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Davignon reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time to-morrow.

On motion of the Honorable Mr. Baldwin, seconded by the Honorable Mr. Boulton,
41st Rule,
 (relative to the
Previous Question,)
Amended.

Ordered, That the Forty-first standing Rule of this House, of the 19th day of June, 1841, be now read.

And the same was read, as followeth:--

"That the Previous Question, until it is decided, shall preclude all amendment and debate of the main Question; and shall be in the following words: 'Shall the main Question be now put?'"

Resolved, That this House do now resolve itself into a Committee, to consider the expediency of amending the said Rule, as recommended in the First Report of the Standing Committee on Privileges and Elections made to the House on Thursday last;

and that the said Report and Standing Rule be referred to the said Committee.

The House then resolved itself into the said Committee.

Mr. Crysler took the Chair of the Committee.⁸⁵

MR. AT. GEN. BALDWIN moved the reception of the report.⁸⁶

MR. CAUCHON stated that he was not disposed to oppose the reception of the report. At the same time he could not help believing that the rule which had previously prevailed was much more useful to the public, and to the House, than that which was now proposed. In England it appeared that the rule was that which it was not proposed to establish, and he consented to it--to yield to what was, perhaps a too great respect to antiquity; but he thought the late rule, which enabled long tiresome and useless discussions to be cut short was a most valuable one; and if Jefferson, having fallen into error had thus established in the United States the rule which had heretofore prevailed in Canada, he thought that its daily use in the former country was the best proof of its utility.⁸⁷

The motion was carried.⁸⁸

(201)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Crysler reported, That the Committee had come to a Resolution; which was read, as followeth:--

Resolved, That the Forty-first Standing Rule of this House, of the 19th day of June, 1841, be amended, by the omission of the words "and debate" therefrom.

The said Resolution, being read a second time, was agreed to.

On motion of the Honorable Mr. Badgley, seconded by Mr. Christie,

General Index
to the Journals.

Ordered, That it be an Instruction to the Standing

Committee on the Library, to enquire into the expediency of causing to be prepared a General Index to the Journals of this House, from the time of the Union to the present Session inclusive, together with the probable cost attending the same.

MR. ROBINSON⁸⁹ moved an address to his Excellency relative to the Mineral lands on Lake Superior. He said that a number of residents on the south shore of the Lake believed there were rich treasures on the north shore, which they would willingly explore if the terms of the sale of such lands were placed upon as easy terms as those on the south side. He mentioned that instead of the large block of many miles square which were sold on the British side, blocks of forty acres square could be bought on the American side. He therefore moved an address praying that the late Indian purchase might be surveyed and put up for sale on as easy terms as those which were charged on the American side.⁹⁰

MR. COM. CR. LANDS PRICE [made a few remarks.]⁹¹

The motion was granted.⁹²

(201)

On motion of the Honorable Mr. Robinson, seconded by the Honorable Mr. Cayley,

Lands of the
North side of
Lakes Huron
and Superior.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to direct that the Mineral and other Lands acquired by the recent Treaty with the Indians, on the north shores of Lake Huron and Superior, be surveyed and offered for sale on terms as liberal as those established and exacted by the American Government, on the south shore of Lake Superior.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

MR. W. BOULTON⁹³ moved an address for the House relative to the dismissal of William Ramsay, late a steward in the Lunatic Asylum. Mr. Boulton stated that in the late discussion on the management of the Lunatic Asylum some severe remarks had been made relative to the character of this Mr. Ramsay. Since that a person who took a great interest in the management of that institution had informed him that the charges made against Ramsay were most absurd.⁹⁴

(201)

On motion of Mr. Boulton of Toronto, seconded by Mr. Davignon,

Charges against
W. Ramsay, late
Steward of the
Provincial Lun-
atic Asylum.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will cause the proper Officer to lay before this House, a Return of certain charges preferred by the Directors of the Provincial Lunatic Asylum against William Ramsay, late Steward of that Institution, the evidence taken at the investigation thereof, and the result of such investigation.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Two Messages
from His
Excellency.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented to Mr. Speaker two Messages from His Excellency the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered; and are as follow:--

ELGIN and KINCARDINE.

Currency Act.

The Governor General transmits for the information of the Legislative Assembly, copies of a Despatch from Her Majesty's Secretary of State for the Colonies, communicating Her Majesty's disallowance of an Act of last Session, intituled, "An Act to amend the Currency Act of this Province," also, of sundry communications in relation to that Act.

Government House,

Toronto, 28th July 1851.

Appendix (Y.Y.).

For the Documents accompanying the said Message, see Appendix (Y.Y.).

ELGIN and KINCARDINE.

Silver Coins
Act, and Freedom
of Banking Act.

The Governor General transmits for the information of the Legislative Assembly, copies of a Correspondence with Her Majesty's Secretary of State on the subject of two Acts passed during the last Session of the Legislature of this Province, intituled, "An Act to alter the rate at which certain Silver Coins shall be a legal tender," and "An Act to establish freedom of Banking in this Province, and for other purposes relative to Banks and Banking."

Government House,

Toronto, 28th July, 1851.

(202)

Appendix (Z.Z.).

For the Documents accompanying the said Message, see Appendix (Z.Z.).

Ordered, That the two preceding Messages, with the accompanying Documents, be printed for the use of the Members of this House.

On motion of the Honorable Mr. Merritt, seconded by Mr. Scott of Bytown, Railroad Companies. Ordered, That it be an Instruction to the Standing Committee on Railroads and Telegraph Lines, to inquire and report the names of the Shareholders, the amount of Stock subscribed, the number of Instalments called in, and the amount paid thereon, in the Great Western, St. Lawrence and Atlantic, and the Toronto and Lake Simcoe Railroad Companies, or any other Company, since the passing of the Act 12 Vic. cap. 29.⁹⁵

MR. MERRITT said his object in moving these instructions to the Railroad Committee was simply to obtain information on one point. The proposal to withdraw the government guarantee from all but one line would be most injurious; as it would prevent railroads being built in any other part of the country. He then moved an instruction to the Railroad Committee to enquire and report the name and amount of stock subscribed, number of instalments called, and the amount paid in on the Great Western, the Saint Lawrence and Atlantic and the Toronto and Lake Simcoe Railroad Companies, or any other Company, since the passing of the Act 12 Vict. ch. 29 (23rd July.)⁹⁶ He said that he had been informed, that there was very little paid in.⁹⁷

Provincial Convention. The Honorable Mr. Merritt moved, seconded by Mr. Sanborn, and the Question being proposed, That this House do now resolve itself into a Committee, for the purpose of taking into consideration the expediency of adopting an humble Address to Her Majesty upon the subject matter contained in the following proposed Resolutions:--

1. *That in the opinion of this House, no portion of the Continent of America contains within itself more abundant elements for ensuring the wealth and prosperity of its inhabitants than British North America: its Fisheries are inexhaustible; its Timber is of the best quality; its Minerals of the most useful description; and its soil and climate peculiarly adapted for the culture of Wheat and Grain; and, in addition to these resources, it possesses in the natural outlets of the Western and Northern Lakes flowing through its limits, facilities for opening an extent of Commercial intercourse not surpassed in any other part of the world.*

2. *That in a financial point of view, these Colonies are also highly favoured, inasmuch as every expenditure appertaining to the maintenance of an independent Government is sustained by Great Britain.*

3. *That notwithstanding these decided advantages, a great portion of the Colonial Trade has been diverted to the United States, and the relative prosperity of the two Countries, on the opposite sides of their respective boundaries, present a striking contrast.*

4. *That while the Governments of the respective Provinces impose Import Duties on the productions of each other, no restrictions whatever exist on similar exchanges between the States of the American Union, to which cause much of their prosperity is attributable.*

5. *That the present "Union Act," creating a Constitution for the Canadas, upon which the inhabitants were not consulted, provides no sufficient constitutional check on the public expenditure, has not worked harmoniously, and has produced a general desire to change the present system--a portion of the population preferring an amendment of the present Constitution, others the repeal of the Union between Upper and Lower Canada, others the Union of all the Colonies under a Federal compact, and others, again, a Union of the whole under one Legislature.*

6. *That in the opinion of this House, the most efficient mode for reconciling these various opinions, and establishing general confidence in the future prospects of these Colonies, is to call together a Provincial Convention, consisting of Delegates from all the British North American Provinces, to deliberate upon, and*

to frame such a Constitution as they may deem best adapted for their future Government,--to be submitted to the consideration of the Imperial Parliament for their determination thereupon.

7. That it is accordingly expedient that an humble Address be presented to Her Majesty, praying that She will be graciously pleased to authorize His Excellency the Governor General to direct the election of fifty persons,--sixteen from the several Counties, Cities and Towns in Upper Canada, and sixteen from the several Districts, Counties, Cities and Towns in Lower Canada;--also, to direct the respective Lieutenant Governors of the adjoining Provinces, by and with the consent of the respective Legislatures thereof, to authorize the election of six persons from New Brunswick--seven persons from Nova Scotia--three persons from Newfoundland,--and two persons from Prince Edward Island, or in the proportion of one Delegate for every forty thousand inhabitants as near as may be; the said Delegates to be elected in such manner as the respective Governors may direct, and the election to take place as soon as practicable.

8. That His Excellency the Governor General be authorized to convene, by Proclamation, the persons so elected as aforesaid, at any place he may appoint.

9. That it shall be the duty of the said Convention to take the situation and circumstances of the British North American Provinces into consideration, and to frame such a Constitution for their future Government as in their judgment will best promote the general interests of the inhabitants, and the welfare of the respective Colonies,--and to transmit the same to the Governor General.

10. That His Excellency the Governor General be requested to transmit copies thereof to each of the Lieutenant Governors, to be laid before their respective Local Legislatures, in order to afford them an opportunity for expressing their opinions upon the same; so that when transmitted to the Imperial Parliament for their final decision, it may be accompanied by full information of the views of the inhabitants of these Colonies on the momentous questions involved in the proposed Constitution.

And a Debate arising thereupon: 98

MR. MERRITT moved a series of resolutions, relative to a Provincial Convention of Delegates from all the Provinces, to frame a Constitution suitable to their wants. He said, that although satisfied they would not carry, he considered it his duty to bring them forward.⁹⁹ The prosperity of this country depended upon ... [a Legislative] union [of the Provinces] being effected.¹⁰⁰ He had been induced to bring the present subject before the House, by a conviction that a change in the constitution was necessary for the country as the only means of preserving its institutions and securing property from excessive taxation. With the permission of the House he would assign the reasons, which induced him to form the opinion he entertained. By a reference to the geographical position of the St. Lawrence, it would be found that there were two countries laying side by side upon its banks the one with a population of three millions--he meant the State of New York--the other with two millions; the first with one Government, the other with five Governments. In the first of these countries he found that the government was maintained at a cost of £90,625, raised out of her internal resources, of 7d per individual. On the other side, Canada, alone, out of the same sources levied a tax of £74,640, or 1s per individual.¹⁰¹ On the opposite side of the Lake, Lake Erie was connected with the ocean by one Government. On one side it was connected by five Governments. While the state of New York, with four millions of people, paid only £95,000 for their Government, Canada, with a million and a half, paid £120,000.¹⁰² Again, the State of New York imposed no Custom duties for its own support, while the five Governments of the British Provinces collected a tax on imports of over £800,000; and yet the Provincial Government had no other duties to perform than those which were performed by the State of New York for Great Britain performed for Canada the functions which were performed by the Federal Government for each of the States.¹⁰³ These customs' duties ought to be done away with.¹⁰⁴ This state of things, however, was not sufficiently understood; but in order to make it clear he would mention

that one half of the productions of Canada were exported to the United States and¹⁰⁵ nearly¹⁰⁶ one half of the necessities of life were imported from that country¹⁰⁷ [and] also came through their canals¹⁰⁸ on which the Canadian grower and consumer were subject to duties from which the growers and producers in the United States were free. In Canada the people paid duty of 12½ per cent, on their imports from the United States and merchants would say that this was in fact, equivalent to 20 per cent. On the other hand, these goods were paid for by Canadian producers¹⁰⁹ to the United States Government¹¹⁰ at a depreciation of 20 per cent.--¹¹¹ How long ... was it supposed that people would submit to this?¹¹²

A member asked what the constitution had to do with that.¹¹³

MR. MERRITT thought a great deal.¹¹⁴ He would now endeavor to point out, as the best means to discover the remedy, the assembling of a delegation from all parts of British North America, to consider the circumstances of the country and to point out such a form [of] Government as they might think best¹¹⁵ [to unite] these Provinces.¹¹⁶ He was not to ... [know] what they would do, but¹¹⁷ one thing was evident--¹¹⁸ the constitution of Canada was a failure. The Union had entailed a cumbrous system of Government, more expensive than what we had before.¹¹⁹ The duties since, that event had increased from 2½ to 12½ per cent.--and¹²⁰ it had lately been argued by a member of the government¹²¹ the Inspector General¹²² that it was impossible to make one set of laws apply to the two sections of the Province, owing to the difference of customs and religion. If that were the case what was the use of the union?¹²³ It was hoped that the consolidation of the two Governments would lessen expense, but instead of that, the double sets of laws, of officers, of translators, &c. had turned out to be a most expensive arrangement. It had been said, however, that the "Union" could not be repealed on account of the Custom's Duties was one great object of the Union; but now that a common road to the ocean was nearly accomplished the old difficulty was nearly at an end, for vessels could now be brought from the sea to Upper Canada and Upper Canada might have her Customs and Lower Canada have her Customs, if that were judged to be the best system.¹²⁴ His individual opinion was that it was not the best course. He was in favour of uniting not of dividing¹²⁵ of enlarging instead of contracting the sphere of the Province; and believed that by judicious arrangements the cry for Annexation might be effectually suppressed, though unless something were done he held Annexation to be inevitable.¹²⁶ If such a convention were to take place, it would settle a satisfactory system of Government, and prevent the annexation which otherwise would take place.¹²⁷

And Mr. Speaker having acquainted the House, That the Honorable Mr. Merritt had spoken to the Question for half an hour, the time to which each Member is restricted by the Order of the House of the 16th July instant;

Ordered, That the Honorable Member be further heard on the Question.

The Honorable Mr. Merritt then again spoke to the Question.

MR. MERRITT believed it would be part of the recommendation of such a delegation as he contemplated, to impose such constitutional restrictions as would prevent the money of the country being carelessly voted away¹²⁸ every day without authority.¹²⁹ He meant such a restraint as prevailed in the State of New York, and which prevented some rogues from going and spending the public treasure without any check. He would now refer to the elements of prosperity which he believed would be found in an Union of the North American Colonists. He would especially refer to three of these elements. The first was the fisheries: they expected the value of any possessed in any other nation in the world and had heretofore employed 257,000 seamen.¹³⁰ Our fisheries on the sea coast are at least equal in value to the mines of California; but they have never been understood by us in Upper Canada.¹³¹ Patrick Morris, Esq. of Newfoundland, in a series of letters addressed to Lord Grey

in 1817, thus describes them:--

The Deep Sea Fisheries on the Banks of Newfoundland furnish employment for 500 large vessels manned by 25,000 French seamen, who catch one million of quintals of fish.

From the Unites States, 2,000 vessels from 30 to 120 tons, with 37,300 seamen, who catch one-and-a-half-million quintals.

From Great Britain and her Colonies, not a solitary vessel is to be seen--they are all driven to the inshore fisheries, where about 520 vessels from 100 to 180 tons, are employed in catching seals; and some 10,089 boats manned with about 25,000 men who catch about one million of quintals.

The French Government pay trout £50,000 to £60,000 sterling, out of the public funds, as a bounty to encourage this trade.

The American Government give a bounty of \$4 per ton, which amounted in four years, prior to 1848, to \$278,288 per year, while our fishermen paid during the same time, a duty of 20 per cent; amounting to \$270,172 on their fish consumed in the United States.

Thus a premium of half a million of dollars is held out to the one, while no aid is extended to the other.

The result is most forcibly pointed out by Mr. Morris, who quotes the speeches of the Senator Grayton and Mr. Grenett in Congress who claim more vessels and men employed in the fisheries than all other nations put together, while under our colonial system, we are driven from our own waters, wholly unable to compete with them. It was necessary, then, that the system should be adopted by the colonies that was adopted by the United States.¹³² The reason why the French and American government had driven us from these shores was that these two countries gave bounties to the fisheries. If we were only a united country, how long should we be before we adopted the same principle and obtained our share of the trade? He was prepared to pay £4 a ton bounty on fisheries to enable us to compete with the Americans.¹³³ But he knew it would be said to adopt such a system would be to favour one part of the community by a tax upon the rest. He admitted that; but then in exchange for that taxation, Canada would get a great market for the productions of her country.¹³⁴ We should have to tax the rest of the community for this; but we should get our fish cheaper and create an immense market for our products.¹³⁵ Another element of prosperity to which he looked for in this enlarged union, was the system of great water communications.¹³⁶ He then compared the British and American trade on the Lakes.¹³⁷ Disturnell's United States National Register published this year, gives the monied value of exports above the Falls of Niagara in 1848 at \$141,593,567.

The aggregate valuation of the lake trade of the United States alone, including Ontario and Champlain, amounts to the enormous sum of \$186,485,267, more than the whole foreign export trade of the country--all of which has been created since the peace of 1814.

The aggregate American tonnage, registered in 1838, was 167,137--British 35,904.

The movement on the Erie Canal in 1850 was, 2,475,600 tons, valued \$140,658,009--amount of tolls \$3,276,903.

The movement on Welland and St. Lawrence Canals in the same year was 684,703 tons--value not shewn in the returns--amount of toll \$161,521.¹³⁸ He then compared the British and American trade on the Lakes.¹³⁹ In 1850 the export of timber was valued at £1,360,731, on which £971,385 was shipped to Great Britain--

£386,000 to the United States, and only £3,662 to other foreign countries¹⁴⁰. Alone¹⁴¹, with moderate attention, [it] ... was said to be inexhaustible¹⁴², [it] could last for ages if care were taken to cut down the larger and leave the smaller.¹⁴³ It furnishes good return cargoes, and cheap freights for the import trade--it also furnishes an export duty of some £37,500 per year, the greater part of which was wasted on maintaining a useless department, to give away our public lands, without any equivalent.

The Trade and Navigation returns, give the exports of agriculture at £1,016,034 of which £666,896 was sent to the United States, and only £201,589 to Great Britain, £177,117 went to the Sister Provinces--£150 to the West Indies, and £250 to other countries. Our exports in all other articles only amount to £263,230 to make up the total exports of £2,669,998.

The exports in Timber and Grain were formerly nearly equal, but the exports to Great Britain have nearly ceased in other articles than timber--than three-fourths of our agricultural productions are sent to the United States--and only one-fourth to the Lower Provinces.

The trade to the West Indies and the rest of the world is not worth naming.

He had no way of ascertaining the amount of the internal taxation of the sister Provinces, but it appeared that the amount of duties was very unequal in the different Provinces. The following was taken from the journals in the Library:--

PROVINCE.	VALUE.	DUTY.	POPULAT'N.	AVERAGE PER INDIVIDUAL.
Canada	4,245,517	615,613	1,500,000	8s 3d for 1850.
New Brunsk	693,927	69,306	220,000	6 3 for 1849.
Nova Scotia	310,770	47,705	278,905	2 6 for 1849.
Newfound'd	679,658	55,867	91,264	12 2 for 1849.
Prince Ed. I.	<u>115,208</u>	<u>12,712</u>	<u>62,678</u>	4 0 for 1848.
	6,045,080	801,235	2,152,847 ¹⁴⁴	

Each of these provinces has the power to levy duties on the other, and the consequence is that there has never been any considerable trade between them, for one would embark capital in a trade that might be broken up any day. The trade between the colonies had been steadily declining for some years past, and the prospects of an increase was by no means cheering. If we had absolute free trade between the colonies this would not have been the case.¹⁴⁵ To show the vastness of the inter-colonial trade which might grow up if the colonies were united, it was sufficient to point out how this trade was at present checked by duties. Last year free trade had existed for the first time between Canada and the Eastern Provinces. There immediately sprung up a large commerce, merchants in Upper Canada sending their products to Halifax, and then purchasing molasses, sugar, fish, &c., and forwarding them as far even as Ohio. This trade was rapidly increasing, when it was learned in Canada, that the duty on flour from the United States had been taken off; and the trade immediately left Canada and went to New York. It was true that by the present system they procured flour at Halifax a little cheaper, but last year the Canadian trade gave rise to a trade with the West Indies, which far more than compensated for this trifling loss. He would, however, only point out the great natural increase of trade which always occurred between countries enjoying freedom of commerce between each other. Mr. Walker, the late Secretary of the Treasury in the United States, showed that while the trade between the several States of the Union having no tariffs, between

themselves amounted to \$23.81 cents per head that with all the rest of the world amounted to no more than 37 cents per head.

The returns show a falling off at the Ports of Quebec and Montreal, from 1,439 ships, of 500,777 tons in 1850.

Thus by adding the aggregate tonnage of our 31 steamers, and 213 sailing vessels on the Lakes, and deducing 46,117 foreign tonnage, it leaves 476,921 tons for Canada.

In looking forward to the increase of this trade under our present system, the prospects are certainly gloomy, with every other branch of commerce.

We have no means of asserting the amount of tonnage owned in the Lower Provinces; but we find the tonnage in the United States has increased from 2,280,095 in 1844--to 3,535,454 in 1850. And we find that although we had the entire trade on the Lakes in 1814, at this moment we have not one fifth. The Port of New York imports to the value of £111,000,000; Quebec and Montreal, £2,232,964.

The supply for the five millions of people bordering on the Upper Lake coasts, is sent from the former by way of Ogdensburgh, Oswego, Buffalo, and other avenues open from year to year, from whence our vessels are excluded from any part of the coasting trade.

This inequality must continue to give them the same progressive increase hereafter which they have heretofore enjoyed under the present system.

The same thing was shown by the reverse of this prosperity which has taken place in the trade between Canada and Great Britain. In the two years before the Union--1838 and 1839--the trade between Great Britain and Canada increased by £14,519; and in the same period that from the United States £1,561. From 1812 to 1813, the increase of importation by sea was £76,362 and from the United States £94,020; so that the ratio of increase suddenly changed from 3 to 1 in favour of Great Britain, to the like increase in favour of the United States. This doubtless arose from the addition of 100 per cent to the duties in 1841. The returns between 1841 and 1848, showed that though the population had increased from one million to nearly one million and a half, the imports from Great Britain had declined from £2,160,234 to £1,835,842. In 1819 the broker's circular pointed out the fact that notwithstanding the decrease of trade generally, the trade with the United States increased by 4 per cent. The imports from Great Britain in 1848, were £1,669,002; in 1850, were £2,107,980; giving an increase of £261,022.

He also read the following statement:--

Imports from the United States--domestic produce:--

In 1849 . . . . .	.2,320,323
1850	<u>.4,641,451</u>
Increase . . . . .	.2,321,128

Foreign products also subject to duty:--

In 1849	857,278
1850	<u>682,862</u>
Decrease	174,416

Foreign Products free:--

In 1849 . . . . .	.1,057,123
1850	<u>606,508</u>
Decrease	450,615

Total.

In 1849.....	4,234,724
1850.....	<u>5,930,821</u>
Increase.....	\$1,696,097
Exports to the United States <u>subject</u> to duty:	
In 1849.....	\$ 894,741
1850.....	<u>3,649,016</u>
Difference.....	2,754,275
Free in 1849.....	\$ 506,341
1850.....	<u>636,454</u>
Increase.....	50,113
Total in 1849.....	\$1,481,089
1850.....	<u>4,284,470</u>
Increase in one year.....	2,804,388

The remedy for this state of things appeared to him to be the consolidation of the Governments of British America by a Legislative--not a Federal-Union¹⁴⁶. Were we under a Legislative union with one government the first thing it would do would be to abolish the Customs' duties; and Canada would soon become the most flourishing country on this continent.¹⁴⁷ He was not afraid that our revenue would fall off. The tolls on our canals would pay as much as those of our neighbours.¹⁴⁸ So long as Britain continued to pay for us the expenses of the general government, we do not want these duties. He did not propose to reduce our Customs' duties until we have paid off our debt. We must throw open the St. Lawrence to vessels of all nations, complete our Public Works¹⁴⁹ in the best manner,¹⁵⁰ and the channel of the river made so that a vessel can carry 10,000 barrels of Flour to the ocean. The effect would be that we could take a barrel of flour from Lake Erie or Chicago to Liverpool cheaper than by New York. But that State was now enlarging their canal, by which they would be enabled to reduce their tolls from 20 cents a barrel to 9 cents, and Canada ought to meet it.¹⁵¹ [We must establish] a line of steamers to Great Britain¹⁵². We would [then] be able to obtain the Western trade and to carry emigrants from Liverpool to Chicago cheaper than the Americans can. He produced a calculation to show that if we adopt a proper financial policy we shall be able to pay off our public debt in 1864.¹⁵³ Lastly, ... [we must] impose some constitutional restrictions, which would save the Province from being plunged farther into debt. If these things were done, he expected to see Canada become the most flourishing country on the continent.¹⁵⁴

MR. INSP. GEN. HINCKS said the hon. member for Lincoln had been for years trying to persuade the people of this Province that they are in a most unfortunate position compared with the United States; and that some organic change is necessary to better our condition.¹⁵⁵ This was a most ungracious course¹⁵⁶ [and he] had failed¹⁵⁷. The contrary was the case¹⁵⁸. No one could look round without seeing that the Province is in a highly prosperous condition; and any organic changes would have a most injurious effect on the credit of the Province.¹⁵⁹ He did not know where the hon. member got his information, but he might have added some kind of proof of his assertion, that this country was more heavily taxed than the United States¹⁶⁰; our taxes were lighter than those of the United States.¹⁶¹ Now he (Mr. H.) denied that the people of Canada were more heavily taxed than the people of State of New York¹⁶². Canada was in a most prosperous condition, and paid much less taxes than the people of the State of N. York.¹⁶³ As to the alleged increase of customs' duties it was true that at the time of the Union¹⁶⁴ Upper Canada was bankrupt¹⁶⁵ [and] the customs duties were entirely insufficient

for the wants of the country, and it was found necessary to increase them; but he denied that any great general increase had taken place since.¹⁶⁶ With respect to the duties paid on imports into Canada, he defied the hon. member to shew that in any former year the aggregate was $1\frac{1}{4}$ per cent less than at present. In the State of New York, tea, coffee, and some other articles might be less than in Canada; but then for cotton, woollens, they paid much higher, for an indirect tax for the protection of manufacturers.¹⁶⁷ If the hon. gentleman had reflected for a moment he might easily have seen the cause of the little trade between¹⁶⁸ this and the¹⁶⁹ Lower¹⁷⁰ Sister Provinces¹⁷¹ neither they nor Canada were manufacturers.¹⁷² The productions of the whole were nearly the same, leaving us little to exchange. Our trade must continue to be chiefly with the United States and¹⁷³ Great Britain¹⁷⁴ as they produce those articles of manufacture which constitute the great bulk of our imports.¹⁷⁵ But there was a trade gradually increasing with ... [the Lower Provinces] and that was the indirect trade through them with the West Indies. He deprecated all organic changes, and if¹⁷⁶ [this was] the only colonial trade there was likely to be for some years¹⁷⁷, he (Mr. H.) entirely deprecated those proposals for organic changes; he could see no reason for them, while they would seriously damage the credit of the country.¹⁷⁸ The hon. member for Lincoln had declared that the Union between Upper and Lower Canada had been a failure¹⁷⁹. He (Mr. H.) denied the assertion¹⁸⁰ [but] if that were the case that hon. member more than any other man was responsible for it, as none had been so active as he in promoting it; yet while he declared that was a failure, he wanted a Federal Union of the two or three other Provinces.¹⁸¹

MR. MERRITT said did not want a Federal Union; but a Legislative Union.¹⁸²

MR. INSP. GEN. HINCKS¹⁸³ ... said, then that was a still more absurd scheme. But for his (Mr. H.'s) part he did not believe that the Union of Upper and Lower Canada was a failure. He admitted that there had been some difficulties in carrying out its operations; and that to work it successfully mutual concessions would be required. The principal difficulties that had arisen had reference to¹⁸⁴ money appropriations, and these would be increased tenfold.¹⁸⁵ [Other difficulties stemmed] from members getting up when every paltry £100 were voted for an Hospital or other charitable purposes, and asking whether it were for Upper or Lower Canada; and then in a paltry saving, if one section of the Province get £100 the other must have another £100.¹⁸⁶ The Lower Provinces had no debt and required no such revenue as we required, and he had asked Mr. Howe if they would adopt our tariff, and Mr. Howe replied they would not.¹⁸⁷ So long as we have the debt to pay we must have a sufficient revenue to pay the interest and carry on the government. He denied the analogy instituted between this country and the State of New York. They had no public domain to manage--no Crown Lands Department, and no Post Office Department¹⁸⁸. He proceeded to refer to the expenses of Government in the State of New York and Canada; and asked if, in the State of New York, they had a large public domain to look after, and a Crown Lands Department to bear the expenses of. Had they in New York a Postal department, and Customs department, as we had?-- and were these nothing?¹⁸⁹

MR. MERRITT interrupted the hon. member with laughter.¹⁹⁰

MR. INSP. GEN. HINCKS [continued:] Here we have all the Departments they have at Washington.¹⁹¹ He went on to say that it was an extraordinary thing for the hon. member for Lincoln bringing in resolutions against the increase of the public debt while he was at the same time, always bringing some scheme or other for the purpose of increasing it either by deepening the rapids, or something else.¹⁹²

MR. MERRITT again interrupted¹⁹³,

In answer to the interruption of Mr. Merritt, MR. INSP. GEN. HINCKS went on to

say that he did not believe a line of Mail Steamers from Liverpool to Quebec would pay. The Government of England did not pay a bonus to the Cunard line, but only a high rate when it was found that carrying the mails was a losing concern. How could a line of steamers pay from Quebec to Liverpool?¹⁹⁴ Any one who looked at the amount of letters carried from this country would see that there is no chance of another line of steamers succeeding.¹⁹⁵ It had been found that a single steamer would not pay between Halifax and Quebec, as one which did run between those places a few years ago, had to be taken off. He could see no need of a Legislative Union of the Provinces, and he was convinced that if it were to take place, the machinery would be [so] dangerous that it would not last one year, before there would be a general out-cry against it.¹⁹⁶ As to a Federative Union there were not objects of sufficient importance for the Federal Legislature to treat.¹⁹⁷ It was true we had the Post-office, but that was found to work¹⁹⁸ on a perfectly satisfactory basis¹⁹⁹ at present.²⁰⁰

MR. H. SHERWOOD asked how long it would remain so?²⁰¹

MR. INSP. GEN. HINCKS went on to say that [there] were also the questions of the tariff and currency which we had in common; but we could not tell that our tariff would suit the sister colonies.²⁰² It is not likely that ... [they] would be willing to adopt ... [it].²⁰³ We wanted no supreme court, as courts of appeal were satisfactory. He concluded by deprecating all agitation for organic changes in the constitution, as calculated to produce pernicious effects, and to injure our credit. The hon. member for Lincoln had not made out any case to show that the country required the²⁰⁴ changes proposed.²⁰⁵

MR. H. BOULTON said the whole country was convinced of the necessity of a change, and was prepared to demand it.²⁰⁶ He looked upon the Legislative Council, as it was, worthless.²⁰⁷ The constitution of the Legislative Council offered one great inducement to changes at present, that body possessed no weight; representing no section of the community, its proceedings excited little interest, and entailed enormous expense without any corresponding advantage to the country.²⁰⁸ The members being mere nominees of the Ministry, were without respect or influence.²⁰⁹ Again, we wanted ... [a constitution] that would restrain the legislature, and the government²¹⁰ with respect to the voting away of public money.²¹¹ He had not a word to say against the individuals, but the system was bad. They were a cloak for any Administration.²¹² At present, the parliament was politically omnipotent,²¹³ while in the States that doctrine did not apply.²¹⁴ In its own sphere the Legislature ... could take away any man's property and devote it to any purpose it thought proper. He looked upon that as a great evil. In the State of New York, the Legislature could not dispose of any man's private property.²¹⁵ Both ... [parliament] and the government needed to be restrained. Our government should be put more in accordance with law, that there might be more law and less caprice.²¹⁶ At present our Govt. can spend any sum of money upon any object without check, and we wanted a body that would check them. We required a system like that on the other side of the line.²¹⁷ He (Mr. B.) considered the union between Upper and Lower Canada had been a complete failure, that is so far as real union was concerned. There was within those walls a double House; and the Speaker was the Speaker of both. One half legislated for one section of the Province, and the other half for the other. Every motion had to be put double--in French and English. There were two Governments also, one for either section.²¹⁸

MR. INSP. GEN. HINCKS asked how he would mend the matter by adding three²¹⁹ or four²²⁰ [or] five²²¹ more Provinces?²²²

MR. H. BOULTON replied that the scheme of Mr. Merritt did not pledge the House to either a legislative or federal union²²³ or disunion. It was proposed that the whole matter should be laid before the people of the British provinces to get

their decision, through primary conventions.²²⁴ He denied that the scheme of a convention was revolutionary; but on the contrary, England would be perfectly willing to accede to it, and we saw that a similar plan had been a short time ago discussed in the British Parliament with respect to the Australian Colonies. England was willing to allow them to agree upon their constitution by means of a convention.²²⁵ Great Britain did not know anything about us and we were now strong enough to legislate for our own interests, and he did not believe that Great Britain would object to our doing so.²²⁶ It was for the people of Canada to decide whether the union should continue or not; and if they decided that it should not, it would then be for them to consider the course which they might most advantageously adopt. Whatever defects [sic] might exist in any constitution that might be adopted, the people would be satisfied, because they would be living under arrangements and laws which they had themselves framed. This country had now become too large to have systems imposed upon it by persons who, though not desirous of doing us any injury, did not however do us good. The hon. member proceeded to show that the proposed change would involve no insuperable difficulties, while it would be attended with a great saving, and many other obvious advantages²²⁷. He denied that the dissolution of the union between Upper and Lower Canada would derange the finances of the country. The dissolution would be made by an Act of Parliament, which could declare that the river St. Lawrence should be free and open to all²²⁸ and goods would come up without paying duty.²²⁹ What was imported through Lower Canada might come in bond, and it must be remembered that we now import a great deal directly to Upper Canada.--The whole duties of the government ought to be defined by act of Parliament; then we should not require a Cabinet Council every day to consult on the way in which things were to be done. It was true we had a large public domain, and it was equally true that it was very badly managed. In the United States the public domain was productive of nothing but jobbery.²³⁰ The Govt. would also be cheaper. It now cost us \$1,200,000 while those of N.Y. and Pennsylvania were much less. He attributed the great expense of the Govt. to the Departments not being regulated by law.²³¹ He made some further remarks in reply to Mr. Hincks. He said that gentleman should not boast too soon of the post office, which we only had for a few days.²³² [He] concluded with declaring his intention to support the resolutions.²³³

MR. H. SHERWOOD read over the first and second resolutions, which he said were truisms. The third he was not prepared to vote for. The fourth he looked upon as the most important. He went on to shew that all the British American colonies were cut up into small communities, and were unlike the United States--united and powerful.²³⁴ [He] pointed out the petty conflict of interest which now exists among the British American provinces; and the waste of power and wealth which this system involves.²³⁵ The Provinces were all separately pursuing their own policy, [and] taxing the products of one another²³⁶. He then referred to history to show that the proposal to seek liberty to hold a convention,²³⁷ was no new thing²³⁸ [and] was justified by British precedent, which had in other times been attended with substantial advantages.²³⁹ [He] looked upon the proposal for a convention of Delegates as of the most important character.²⁴⁰ Conventions had been held in the old colonies, and sometimes on the suggestion of the crown. He instanced ... that²⁴¹ the British Government had suggested a convention at Albany before the conquest of Canada, and²⁴² during the administration of Mr. Pitt,²⁴³ Benj. Franklin²⁴⁴ had there made his first appearance, and proposed a Federal Union of all the Provinces, and had²⁴⁵ that proposition ... been adopted²⁴⁶ he (Mr. S.) did not think that the revolution would have followed²⁴⁷ [and] the United States would not have become independent.²⁴⁸ He believed that ere long the present Colonies would take up the question. It was their duty as legislators to look forward to the future time, and contemplate what must come.²⁴⁹ Why should not we meet in convention, for the purpose of forming the nucleus of a great nation that would own the English flag?²⁵⁰ It was idle to sneer at the

scheme proposed, or to deprecate the change involved. The change must come in the very nature of things: it cannot be prevented; and the true policy was to act wisely by turning it to the best account. At present, the British American colonies were little, separate communities, having no self-respect, enjoying no respect abroad, and almost wholly disregarded by the mother country.²⁵¹ The people would not long remain in this divided state, but would take the matter up in earnest in all the provinces; and the union would be accomplished before many years were over. The population would increase in a rapid ratio, if the union were effected; and in a few years it would be 3,000,000.²⁵² Let us have a great Federal Union and a change will be brought about in all these respects. With a territory as large as that of the United States, and having inexhaustible natural resources--and with a large and rapidly growing population--we should then be able to command respect in other countries, [and] we should become as powerful as almost any nation in Europe²⁵³. He believed this union would have the effect of preventing altogether the cry of annexation²⁵⁴ which was now heard²⁵⁵ and the connection with England would thus be maintained.²⁵⁶ Our commerce and general interests would be under the control of a Federal Legislature, while the provinces would be left to manage their own internal affairs, as they thought proper.²⁵⁷ It would develop our resources and make us confident in them. And the alternative would ultimately be, annexation or the union of the provinces. We saw that the people of England were surprised at what had been sent to the Great Exhibition from Canada.²⁵⁸ We are now looked upon with contempt, and therefore, the small appearance we have made at the Great Exhibition had surprised most of those who knew nothing of us before²⁵⁹ and it was asked, could they make such things as these in that out-of-the-way country of Canada? With the union of the Provinces they would look upon us with a different eye. With respect to the union of Upper and Lower Canada, he did not wish to dissolve that as he [did] not want a retrograde movement. But he contended that it did not work well.²⁶⁰ He should prefer to see these counteracted by progression, rather than retrogression--namely, by the formation of ... the union of Upper and Lower Canada, of a Federal Union²⁶¹ of a Union of all the British Provinces, under one Federal Government in connexion with Great Britain. This Province was truly flourishing but it flourished from Union; go on therefore, and unite more.²⁶² He instanced the divisions in the House of Assembly on various questions that affected Upper and Lower Canada.²⁶³ He would ask if there were not difficulties? If Lower Canada did not force on Upper Canada measures which the people of that Province did not want, and vice versa. If united there would be no such thing, and no difficulties as to finance or representation could come up.²⁶⁴ [He] concluded by reading²⁶⁵ a long extract²⁶⁶ from a Nova Scotian newspaper, speaking in strong terms in favor of the union of the provinces.²⁶⁷ He believed that this change, if adopted, would be the salvation of the country.²⁶⁸

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And the Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, McConnell, Merritt, Sanborn, and Sherwood of TORONTO.--(7.)

NAYS.

Messieurs Badgley, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cameron of KENT, Cauchon, Cayley, Chauveau, Christie, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Egan, Flint, Fortier, Fournier, Guay, Guillet, Hincks, Holmes, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Malloch, McFarland, Méthot, Meyers, Mongenais, Morrison, Nelson, Notman, Polette, Price,

Robinson, Ross, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Stevenson, Taché, and Watts.--(51.)

So it passed in the Negative.

County of York Roads.

The Honorable Mr. Boulton moved, seconded by Mr. Hopkins, and the Question being put, That so much of the Return relative to Public Works, which was presented on the 26th June last, as relates to the sale of the County of York Roads, be referred to a Select Committee, composed of Mr. Dickson, Mr. Hopkins, Mr. Morrison, the Honorable

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Mr. Robinson, and the mover, to report thereon with all convenient speed; with power to send for persons, papers, and records:²⁶⁹

MR. H. BOULTON moved to refer to a Select Committee the return to an address of 26th May last, relating to the sale of certain roads in the County of York. He went over the circumstances of this case but did not bring out anything new.²⁷⁰ If a committee were granted²⁷¹ him,²⁷² he was prepared to show by the most conclusive evidence, that the company which it was pretended had been formed for the purchase of these roads, was no company at all, but a mere sham.²⁷³

A long discussion [ensued]²⁷⁴.

MR. INSP. GEN. HINCKS and MR. SOL. GEN. MACDONALD opposed the motion.²⁷⁵

MR. MACKENZIE and MR. W. BOULTON supported it.²⁷⁶

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Cameron of KENT, Crysler, Hopkins, Mackenzie, Malloch, Robinson, Sherwood of TORONTO, and Stevenson.--(10.)

NAYS.

Messieurs Bell, Burritt, Cartier, Cauchon, Chauveau, Davignon, Duchesnay, Fergusson, Flint, Fournier, Guillet, Hall, Hincks, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, McConnell, Méthot, Mongenais, Nelson, Polette, Price, Sanborn, Scott of TWO MOUNTAINS, Taché, and Watts.--(31.)

So it passed in the Negative.

Orders deferred.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being put, That the remaining Orders of the day be postponed until to-morrow; the House divided:--And it was resolved in the Affirmative.

Then, on motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,

The House adjourned.

[NOTICE OF ADDRESS RE: GRAND RIVER NAVIGATION.]²⁷⁷

MR. MERRITT moved an address to His Excellency, for the issue of debentures for the completion of the Grand River navigation. He stated that a Canal had been made by a private company, which was not at present profitable, owing to not having sufficient length and depth. £7,000 were required to complete this navigation, and that would finish it.²⁷⁸

MR. INSP. GEN. HINCKS rose to a question of order; he thought the motion was not in order. Sometime before the Union of the Provinces certain debentures were issued for the completion of the Grand River Navigation. These debentures were never negotiated and had remained a dead letter.²⁷⁹ [He] stated that the authority under which this money was sought, was an Act of the Parliament of Upper Canada, passed long before the Union, which had never been acted on. These debentures would of course become a charge on the consolidated fund and therefore²⁸⁰ must be recommended by His Excellency.²⁸¹ The House could take no step towards obtaining this issue without the previous consent of the Government.²⁸²

MR. MERRITT said there was nothing new in this.²⁸³ The motion involved no change on the consolidated revenue [and] it only required an act of Parliament to be carried out.²⁸⁴ The money was guaranteed by Act of Parliament.²⁸⁵ If the motion were refused it would be an act of repudiation.²⁸⁶

The motion was rejected.²⁸⁷

MR. MERRITT [said he] would allow it to stand as a notice.²⁸⁸

[QUESTION AND ANSWER RE: PROVINCIAL LUNATIC ASYLUM.]²⁸⁹

MR. W. BOULTON, of Toronto, [asked a question]²⁹⁰.

MR. INSP. GEN. HINCKS stated in answer that it is the intention of the Ministry to institute an enquiry into the management of the Provincial Lunatic Asylum.²⁹¹

FOOTNOTES: 28 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: GLOBE, 29 July 1851, PILOT, 5 August 1851, and LA MINERVE, 2 August 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 29 July 1851, EXAMINER, 30 July 1851; NORTH AMERICAN, 1 August 1851, GLOBE, 29 July 1851, and PILOT, 5 August 1851. The debate was also reported by MONTREAL GAZETTE, 1 August 1851.
2. MONTREAL GAZETTE, 1 August 1851.
3. BRITISH COLONIST, 29 July 1851.
4. PILOT, 5 August 1851.
5. BRITISH COLONIST, 29 July 1851.
6. PILOT, 5 August 1851.
7. BRITISH COLONIST, 29 July 1851.
8. PILOT, 5 August 1851.
9. BRITISH COLONIST, 29 July 1851.
10. PILOT, 5 August 1851.
11. BRITISH COLONIST, 29 July 1851.
12. PILOT, 5 August 1851.
13. BRITISH COLONIST, 29 July 1851.
14. PILOT, 5 August 1851.
15. MONTREAL GAZETTE, 1 August 1851.
16. BRITISH COLONIST, 29 July 1851.
17. PILOT, 5 August 1851.
18. MONTREAL GAZETTE, 1 August 1851.
19. BRITISH COLONIST, 29 July 1851.
20. PILOT, 5 August 1851.
21. IBID.
22. MONTREAL GAZETTE, 1 August 1851.
23. PILOT, 5 August 1851.
24. BRITISH COLONIST, 29 July 1851.
25. PILOT, 5 August 1851.
26. BRITISH COLONIST, 29 July 1851.
27. MONTREAL GAZETTE, 1 August 1851.
28. PILOT, 5 August 1851.
29. MONTREAL GAZETTE, 1 August 1851.
30. PILOT, 5 August 1851.
31. BRITISH COLONIST, 29 July 1851.
32. IBID., which noted that "from the bad position of the Reporter's gallery very few of [Mr. Lafontaine's] ... words came up."
33. BRITISH COLONIST, 29 July 1851.
34. MONTREAL GAZETTE, 1 August 1851.
35. PILOT, 5 August 1851.
36. MONTREAL GAZETTE, 1 August 1851.
37. PILOT, 5 August 1851.
38. BRITISH COLONIST, 29 July 1851.
39. PILOT, 5 August 1851, commented that Mr. Notman addressed the House "in warm and energetic terms".
40. PILOT, 5 August 1851.
41. BRITISH COLONIST, 29 July 1851.
42. PILOT, 5 August 1851.
43. BRITISH COLONIST, 29 July 1851.
44. PILOT, 5 August 1851.
45. BRITISH COLONIST, 29 July 1851.
46. IBID.
47. MONTREAL GAZETTE, 1 August 1851.

48. EXAMINER, 30 July 1851.
49. PILOT, 5 August 1851.
50. BRITISH COLONIST, 29 July 1851.
51. MONTREAL GAZETTE, 1 August 1851.
52. EXAMINER, 30 July 1851.
53. PILOT, 5 August 1851.
54. MONTREAL GAZETTE, 1 August 1851.
55. EXAMINER, 30 July 1851.
56. BRITISH COLONIST, 29 July 1851.
57. MONTREAL GAZETTE, 1 August 1851.
58. EXAMINER, 30 July 1851.
59. MONTREAL GAZETTE, 1 August 1851.
60. PILOT, 5 August 1851.
61. BRITISH COLONIST, 29 July 1851.
62. IBID.
63. PILOT, 5 August 1851.
64. MONTREAL GAZETTE, 1 August 1851.
65. PILOT, 5 August 1851.
66. EXAMINER, 30 July 1851.
67. MONTREAL GAZETTE, 1 August 1851.
68. EXAMINER, 30 July 1851.
69. BRITISH COLONIST, 29 July 1851.
70. PILOT, 5 August 1851.
71. EXAMINER, 30 July 1851.
72. MONTREAL GAZETTE, 1 August 1851.
73. EXAMINER, 30 July 1851.
74. MONTREAL GAZETTE, 1 August 1851.
75. PILOT, 5 August 1851.
76. MONTREAL GAZETTE, 1 August 1851.
77. EXAMINER, 30 July 1851.
78. MONTREAL GAZETTE, 1 August 1851.
79. EXAMINER, 30 July 1851.
80. MONTREAL GAZETTE, 1 August 1851.
81. PILOT, 5 August 1851.
82. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 29 July 1851, and PILOT, 5 August 1851.
83. BRITISH COLONIST, 29 July 1851.
84. IBID.
85. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 29 July 1851, and PILOT, 5 August 1851.
86. BRITISH COLONIST, 29 July 1851.
87. IBID.
88. IBID.
89. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 29 July 1851, HAMILTON SPECTATOR, 2 August 1851, and PILOT,
5 August 1851.
90. BRITISH COLONIST, 29 July 1851.
91. IBID.
92. IBID.
93. The following papers reported the debate on this matter in identical accounts:
GLOBE, 29 July 1851, BRITISH COLONIST, 29 July 1851, HAMILTON SPECTATOR, 2
August 1851, and PILOT, 5 August 1851. The debate was also reported by GLOBE,
31 July 1851.
94. BRITISH COLONIST, 29 July 1851.
95. The debate on this matter was reported by: EXAMINER, 30 July 1851; and
MONTREAL GAZETTE, 1 August 1851.

96. EXAMINER, 30 July 1851.
97. MONTREAL GAZETTE, 1 August 1851.
98. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 1 August 1851, NORTH AMERICAN, 8 August 1851, and LA MINERVE, 5 August 1851. The following papers reported the debate in partially identical accounts: GLOBE, 31 July 1851, and HAMILTON SPECTATOR, 2 August 1851. The debate was also reported by MONTREAL GAZETTE, 1 August 1851. BRITISH COLONIST, 29 July 1851; and PILOT, 5 August 1851, noted the debate.
99. MONTREAL GAZETTE, 1 August 1851.
100. HAMILTON SPECTATOR, 2 August 1851.
101. NORTH AMERICAN, 8 August 1851.
102. MONTREAL GAZETTE, 1 August 1851.
103. NORTH AMERICAN, 8 August 1851.
104. HAMILTON SPECTATOR, 2 August 1851.
105. NORTH AMERICAN, 8 August 1851.
106. HAMILTON SPECTATOR, 2 August 1851.
107. NORTH AMERICAN, 8 August 1851.
108. MONTREAL GAZETTE, 1 August 1851.
109. NORTH AMERICAN, 8 August 1851.
110. MONTREAL GAZETTE, 1 August 1851.
111. NORTH AMERICAN, 8 August 1851.
112. MONTREAL GAZETTE, 1 August 1851.
113. IBID.
114. IBID.
115. NORTH AMERICAN, 8 August 1851.
116. HAMILTON SPECTATOR, 2 August 1851.
117. MONTREAL GAZETTE, 1 August 1851.
118. NORTH AMERICAN, 8 August 1851.
119. MONTREAL GAZETTE, 1 August 1851.
120. NORTH AMERICAN, 8 August 1851.
121. HAMILTON SPECTATOR, 2 August 1851.
122. NORTH AMERICAN, 8 August 1851.
123. HAMILTON SPECTATOR, 2 August 1851.
124. NORTH AMERICAN, 8 August 1851.
125. HAMILTON SPECTATOR, 2 August 1851.
126. NORTH AMERICAN, 8 August 1851.
127. MONTREAL GAZETTE, 1 August 1851.
128. NORTH AMERICAN, 8 August 1851.
129. MONTREAL GAZETTE, 1 August 1851.
130. NORTH AMERICAN, 8 August 1851.
131. HAMILTON SPECTATOR, 2 August 1851.
132. NORTH AMERICAN, 8 August 1851.
133. HAMILTON SPECTATOR, 2 August 1851.
134. NORTH AMERICAN, 8 August 1851.
135. HAMILTON SPECTATOR, 2 August 1851.
136. NORTH AMERICAN, 8 August 1851.
137. HAMILTON SPECTATOR, 2 August 1851.
138. NORTH AMERICAN, 8 August 1851.
139. HAMILTON SPECTATOR, 2 August 1851.
140. NORTH AMERICAN, 8 August 1851.
141. HAMILTON SPECTATOR, 2 August 1851.
142. NORTH AMERICAN, 8 August 1851.
143. HAMILTON SPECTATOR, 2 August 1851.
144. NORTH AMERICAN, 8 August 1851.
145. HAMILTON SPECTATOR, 2 August 1851.
146. NORTH AMERICAN, 8 August 1851, cited the date as 1868.

147. HAMILTON SPECTATOR, 2 August 1851.
148. MONTREAL GAZETTE, 1 August 1851.
149. HAMILTON SPECTATOR, 2 August 1851.
150. NORTH AMERICAN, 8 August 1851.
151. MONTREAL GAZETTE, 1 August 1851.
152. NORTH AMERICAN, 8 August 1851.
153. HAMILTON SPECTATOR, 2 August 1851.
154. NORTH AMERICAN, 8 August 1851.
155. HAMILTON SPECTATOR, 2 August 1851.
156. NORTH AMERICAN, 8 August 1851.
157. MONTREAL GAZETTE, 1 August 1851.
158. NORTH AMERICAN, 8 August 1851.
159. HAMILTON SPECTATOR, 2 August 1851.
160. NORTH AMERICAN, 8 August 1851.
161. HAMILTON SPECTATOR, 2 August 1851.
162. NORTH AMERICAN, 8 August 1851.
163. MONTREAL GAZETTE, 1 August 1851.
164. HAMILTON SPECTATOR, 2 August 1851.
165. MONTREAL GAZETTE, 1 August 1851.
166. HAMILTON SPECTATOR, 2 August 1851.
167. NORTH AMERICAN, 8 August 1851.
168. HAMILTON SPECTATOR, 2 August 1851.
169. NORTH AMERICAN, 8 August 1851.
170. MONTREAL GAZETTE, 1 August 1851.
171. NORTH AMERICAN, 8 August 1851.
172. MONTREAL GAZETTE, 1 August 1851.
173. HAMILTON SPECTATOR, 2 August 1851.
174. NORTH AMERICAN, 8 August 1851.
175. HAMILTON SPECTATOR, 2 August 1851.
176. MONTREAL GAZETTE, 1 August 1851.
177. NORTH AMERICAN, 8 August 1851.
178. HAMILTON SPECTATOR, 2 August 1851.
179. NORTH AMERICAN, 8 August 1851.
180. HAMILTON SPECTATOR, 2 August 1851.
181. NORTH AMERICAN, 8 August 1851.
182. IBID.
183. According to NORTH AMERICAN, 8 August 1851, Hincks spoke "with angry vehemence".
184. NORTH AMERICAN, 8 August 1851.
185. MONTREAL GAZETTE, 1 August 1851.
186. NORTH AMERICAN, 8 August 1851.
187. MONTREAL GAZETTE, 1 August 1851.
188. HAMILTON SPECTATOR, 2 August 1851.
189. NORTH AMERICAN, 8 August 1851.
190. IBID.
191. HAMILTON SPECTATOR, 2 August 1851.
192. NORTH AMERICAN, 8 August 1851.
193. IBID.
194. IBID.
195. HAMILTON SPECTATOR, 2 August 1851.
196. NORTH AMERICAN, 8 August 1851.
197. MONTREAL GAZETTE, 1 August 1851.
198. NORTH AMERICAN, 8 August 1851.
199. HAMILTON SPECTATOR, 2 August 1851.
200. NORTH AMERICAN, 8 August 1851.
201. IBID.
202. IBID.

203. HAMILTON SPECTATOR, 2 August 1851.
204. NORTH AMERICAN, 8 August 1851.
205. HAMILTON SPECTATOR, 2 August 1851.
206. GLOBE, 31 July 1851.
207. MONTREAL GAZETTE, 1 August 1851.
208. GLOBE, 31 July 1851.
209. NORTH AMERICAN, 8 August 1851.
210. GLOBE, 31 July 1851.
211. NORTH AMERICAN, 8 August 1851.
212. MONTREAL GAZETTE, 1 August 1851.
213. GLOBE, 31 July 1851.
214. MONTREAL GAZETTE, 1 August 1851.
215. HAMILTON SPECTATOR, 2 August 1851.
216. GLOBE, 31 July 1851.
217. MONTREAL GAZETTE, 1 August 1851.
218. NORTH AMERICAN, 8 August 1851.
219. IBID.
220. GLOBE, 31 July 1851.
221. MONTREAL GAZETTE, 1 August 1851.
222. NORTH AMERICAN, 8 August 1851.
223. IBID.
224. GLOBE, 31 July 1851.
225. NORTH AMERICAN, 8 August 1851.
226. MONTREAL GAZETTE, 1 August 1851.
227. GLOBE, 31 July 1851.
228. NORTH AMERICAN, 8 August 1851.
229. MONTREAL GAZETTE, 1 August 1851.
230. HAMILTON SPECTATOR, 2 August 1851.
231. MONTREAL GAZETTE, 1 August 1851.
232. NORTH AMERICAN, 8 August 1851.
233. GLOBE, 31 July 1851.
234. IBID.
235. IBID.
236. MONTREAL GAZETTE, 1 August 1851.
237. GLOBE, 31 July 1851.
238. NORTH AMERICAN, 8 August 1851.
239. GLOBE, 31 July 1851.
240. MONTREAL GAZETTE, 1 August 1851.
241. NORTH AMERICAN, 8 August 1851.
242. MONTREAL GAZETTE, 1 August 1851.
243. NORTH AMERICAN, 8 August 1851.
244. HAMILTON SPECTATOR, 2 August 1851.
245. MONTREAL GAZETTE, 1 August 1851.
246. HAMILTON SPECTATOR, 2 August 1851.
247. MONTREAL GAZETTE, 1 August 1851.
248. HAMILTON SPECTATOR, 2 August 1851.
249. MONTREAL GAZETTE, 1 August 1851.
250. NORTH AMERICAN, 8 August 1851.
251. GLOBE, 31 July 1851.
252. NORTH AMERICAN, 8 August 1851.
253. GLOBE, 31 July 1851.
254. NORTH AMERICAN, 8 August 1851.
255. MONTREAL GAZETTE, 1 August 1851.
256. HAMILTON SPECTATOR, 2 August 1851.
257. GLOBE, 31 July 1851.
258. NORTH AMERICAN, 8 August 1851.

259. MONTREAL GAZETTE, 1 August 1851.
260. NORTH AMERICAN, 8 August 1851.
261. GLOBE, 31 July 1851.
262. MONTREAL GAZETTE, 1 August 1851.
263. NORTH AMERICAN, 8 August 1851.
264. MONTREAL GAZETTE, 1 August 1851.
265. NORTH AMERICAN, 8 August 1851.
266. MONTREAL GAZETTE, 1 August 1851.
267. NORTH AMERICAN, 8 August 1851.
268. GLOBE, 31 July 1851.
269. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 July 1851, and PILOT, 5 August 1851. The debate was also reported by GLOBE, 31 July 1851.
270. BRITISH COLONIST, 29 July 1851.
271. GLOBE, 31 July 1851.
272. BRITISH COLONIST, 29 July 1851.
273. GLOBE, 31 July 1851.
274. BRITISH COLONIST, 29 July 1851.
275. GLOBE, 31 July 1851.
276. IBID.
277. The following papers reported this notice of address in identical accounts: BRITISH COLONIST, 29 July 1851, NORTH AMERICAN, 1 August 1851, HAMILTON SPECTATOR, 2 August 1851, and PILOT, 5 August 1851. The following papers also reported the debate: EXAMINER, 30 July 1851; GLOBE, 31 July 1851; and MONTREAL GAZETTE, 1 August 1851.
278. BRITISH COLONIST, 29 July 1851.
279. EXAMINER, 30 July 1851.
280. BRITISH COLONIST, 29 July 1851.
281. EXAMINER, 30 July 1851.
282. BRITISH COLONIST, 29 July 1851.
283. IBID.
284. EXAMINER, 30 July 1851.
285. BRITISH COLONIST, 29 July 1851.
286. EXAMINER, 30 July 1851.
287. IBID.
288. BRITISH COLONIST, 29 July 1851.
289. The following papers reported this question in identical accounts: GLOBE, 29 July 1851, BRITISH COLONIST, 29 July 1851, HAMILTON SPECTATOR, 2 August 1851, and PILOT, 5 August 1851.
290. BRITISH COLONIST, 29 July 1851.
291. IBID.

TUESDAY, 29 JULY 1851.¹

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Petitions
brought up.

The following Petitions were severally brought up,
and laid on the table:--

By the Honorable Mr. Baldwin,--The Petition of John Arksey, of the Township of North Gwillimbury, County of York.

By Mr. Lemieux,--The Petition of the Reverend F.E. Moore, and others, of that part of the Seigniorship of Lauson called Ste. Catherine, in the County of Dorchester.

By the Honorable Mr. Sherwood,--The Petition of James FitzGerald, of the City of Toronto.

By Mr. Cauchon,--The Petition of C.P. Huot, Esquire, and others, of the Parish of La Baie St. Paul, County of Saguenay.

Petition
referred.

Mr. Christie moved, seconded by Mr. McLean, and the Question being put, That the Petition of Messieurs Benson and Company, and others, Merchants, and others interested in the Lumber Trade, be referred to a Select Committee, composed of the Honorable Mr. Chabot, Mr. Lemieux, Mr. Ross, Mr. Polette, and the mover, to examine the contents thereof, and to report thereon, with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Boulton of TORONTO, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Crysler, Davignon, Solicitor General Drummond, Egan, Fortier, Fourquin, Guillet, Hopkins, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Malloch, McConnell, McFarland, McLean, Méthot, Nelson, Notman, Papineau, Polette, Robinson, Ross, Sanborn, Scott of EYTOWN, Sherwood of TORONTO, Stevenson, and Taché.--(45.)

NAY.

Mr. Fournier.--(1.)

So it was resolved in the Affirmative.

Railway
Between
Halifax and
Quebec.

The Honorable Mr. Attorney General LaFontaine, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 23rd July 1851, for copies of all Correspondence that has taken place between Her Majesty's Government and the Government of this Province, on the subject of the Act of this Legislature authorizing a private Company to construct a Railway between Halifax and Quebec.

Appendix (A.A.A.)

For the said Return, see Appendix (A.A.A.)

Police.

And also, Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 23rd July, 1851, for a copy of any Instrument or Instruments issued under the Ordinance of Lower Canada 2 Vic. cap. 2, for extending the word City or Cities to any neighbouring Districts for the purposes of Police; and also a copy of the Commissions of Messieurs McCord and Ermatinger, appointing them respectively Inspectors and Superintendents of Police at Quebec and Montreal.

Appendix (B.B.B.)

For the said Return, see Appendix (B.B.B.)

During the absence of the Reporters ... MR. CHRISTIE [moved that] leave of absence ... [be] granted to the Hon. Mr. Papineau for the remainder of the Session,

by reason of disease and sudden illness in his domestic circle.²

(203)

Leave of
Absence.

Ordered, That the Honorable Mr. Papineau have leave to absent himself from this House during the remainder of the Session, on account of disease and of serious illness in his domestic circle.

Navigation of
the Inland
Waters Bill.

An engrossed Bill to amend an Act, intituled, "An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the navigation of the waters of this Province," was, according to Order,

read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cameron of Cornwall do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to the Municipi-
pality of
Drummond.

An engrossed Bill to transfer the place of holding the Meetings of the Municipal Council of the Municipality of Drummond, Number Two, from French Village in the Township of Kingsey, to the Village of Stanford in the said Municipality, was, according to Order, read the

third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Fortier do carry the Bill to the Legislative Council, and desire their concurrence.

Port Burwell
Harbour Bill.

Mr. Notman reported from the Select Committee on the Bill to amend the Act incorporating the Port Burwell Harbour Company, That the Committee had gone through the

Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Third Report of
Committee on Rail-
Roads and Tele-
graph Lines.

Mr. Smith of Durham, from the Standing Committee on Railroads and Telegraph Lines, presented to the House the Third Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to amend the Act incorporating the Bytown and Prescott Railway Company, and also the Bill to amend and extend the Act incorporating the Montreal and Vermont Junction Railway Company, and have agreed to certain amendments to each of the said Bills, which they beg leave to submit for the consideration of Your Honorable House.

(204)

Bytown and
Prescott Rail-
way Bill.

Ordered, That the Bill to amend the Act incorporating the Bytown and Prescott Railway Company, as reported from the Standing Committee on Railroads and Telegraph Lines, be committed to a Committee of the whole House,

for to-morrow.

Bill Relating
to Rectories.

Mr. Morrison reported from the Select Committee on the Bill to repeal so much of the Imperial Act 31 Geo. 3 cap. 31, as relates to Rectories, and the presentation of Incumbents to the same, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Twelfth Report
of Committee on
Private Bills.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Twelfth Report of the said Committee; which was read, as followeth:--

You Committee have examined the Bill to incorporate the Medical Profession in Upper Canada, and have agreed to certain amendments thereto, which they respectfully submit for the consideration of Your Honorable House.

They have also examined the Bill to form a new Township out of parts of the Townships of Cramahe and Murray in the County of Northumberland, and having examined the Petitions before Your Honorable House for and against the measure, together with such further evidence as was at their disposal, are of opinion, that it is not expedient to divide the said Townships, and would therefore humbly submit that the Preamble of the Bill has not been proved.

Montreal and
Vermont Rail-
way Bill.

Ordered, That the Bill to amend and extend the Act incorporating the Montreal and Vermont Junction Railway Company, as reported from the Standing Committee on Railroads and Telegraph Lines, be committed to a Committee of the whole House, for Thursday next.

Debtors Effects
Attachment Bill.

Ordered, That the Amendment made by the Legislative Council to the Bill, intituled, "An Act to enable Creditors to attach the effects of Debtors about to leave the

Province, in cases under Ten pounds," be now taken into consideration.

The House proceeded accordingly to take the said Amendment into consideration; and the same was read, as followeth:--

Press 2, line 10. After "execution" insert Clause (A.)

Clause (A.) "And be it enacted, that this Act shall remain in force for two years, and from thence until the end of the then next Session of the Provincial Parliament, and no longer."

The said Amendment, being read a second time, was agreed to.

Ordered, That Mr. McConnell do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendment.

Building Societies
Bill (L.C.).

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend an Act to encourage the establishment of Building

Societies in Lower Canada," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 2, line 25. After "the" where it occurs the second time, insert "Canada."

Press 2, line 26. Leave out from "Gazette" to "and" in line 27.

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Lemieux do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Montreal River
Police Bill.

Bill, intituled, "An Act to provide for defraying the expense of the River Police at Montreal."

Quebec River
Police Bill.

Bill, intituled, "An Act to provide for defraying the expense of the River Police at Quebec: And also,

Waterous' Civil
and Political
Rights Bill.

Amendments, to which they desire the concurrence of this House: And also,

Law of Evidence
Bill, (U.C.).

Evidence in Upper Canada," with several Amendments, to which they desire the concurrence of this House: And also,

Bill relating to
a By-law of Peter-
borough Municipal
Council.

which they desire the concurrence of this House: And also,

Gould & Sons'
Naturalization
Bill.

The Legislative Council have passed the Bill, intituled, "An Act to naturalize Ira Gould and others, and for other purposes," with several Amendments, to which they desire the concurrence of this House: And also,

Mutual Insur-
ance Companies
Bill (U.C.).

The Legislative Council have passed a Bill, intituled, "An Act to encourage the establishment of additional Mutual Insurance Companies in Upper Canada," to which they desire the concurrence of this House.

And then he withdrew.

Mutual Insur-
ance Companies
Bill (U.C.).

An engrossed Bill from the Legislative Council, intituled, "An Act to encourage the establishment of additional Mutual Insurance Companies in Upper Canada," was read the first time.

Quelques³ membres voulurent ajourner, disant qu'ils se sentaient suffoqués sous la lourde atmosphère condensée entre les quatre murs épais de l'enceinte législative, et ils annoncèrent qu'ils proposeraient de rappeler une règle existante de temps immémorial.⁴

COL. GUGY consented to the galleries being thrown open, provided the reporter's box was closed.⁵

Other members insisted that if one door were opened, the whole should be, and moved an adjournment.⁶

MR. H. SHERWOOD then moved an adjournment, to do so until the doors were open.⁷

COL. GUGY was still refractory⁸.

Those who were against the closing of the House, stated that they would continue making motions of adjournment until the public and the reporters were admitted.⁹

(204)

Adjournment.

The Honorable Mr. Sherwood moved, seconded by the Honorable Mr. Cameron of Cornwall, and the Question being put, That this House do now adjourn; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cameron of CORNWALL, Cameron of KENT, Cayley, Chauveau, Duchesnay, Egan, Fergusson, Hopkins, Johnson, Letellier, Lyon, Macdonald of KINGSTON, Malloch, McFarland, McLean, Notman, Papineau, Robinson, Sanborn, Scott of BYTOWN, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Stevenson, and Taché.--(29.)

NAYS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chabot, Christie, Davignon, Solicitor General Drummond, Flint, Fortier, Fournier, Fourquin, Gugy, Guillet, Hall, Hincks, Holmes, Jobin, Lacoste, Attorney General LaFontaine, La-Terrière, Laurin, Lemieux, McConnell, Méthot, Mongenais, Morrison, Nelson,

(205)

Polette, Price, Prince, Sauvageau, Scott of TWO MOUNTAINS, and Viger.--(34.)

So it passed in the Negative.

Comme la presque'unanimité de la chambre désirait que les portes fussent ouvertes, COL. GUGY céda en promettant bien qu'il userait de son privilège à la première occasion si la presse ne s'amendait pas. Il disait: "La presse, conduite le plus souvent par des hommes inhabiles, sans considération, sans respectabilité, sans influence personnelle, sans valeur morale, des enfants de dix-huit à vingt ans, qui n'oseraient jamais briguer les suffrages d'un comté; la presse, insolente et méprisable, s'arroge le droit de régenter les députés du peuple et de leur indiquer leur ligne de conduite. Elle se substitue sans vergogne à la représentation élue et au produit de l'urne électorale. C'est un état de choses dégradant pour la dignité de représentant, que, pour ma part, je ne consentirai pas à supporter. Si mes collègues m'appuyaient, nous amènerions bientôt les choses à l'état normal."¹⁰ Mr. Gugy then agreed to see strangers, and the public were readmitted to the House.¹¹

(205)

On motion of Mr. Solicitor General Drummond, seconded by the Honorable Mr. Attorney General LaFontaine,

Registration of Deeds Bill (L.C.).

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," be read a second time on Friday next.

Niagara Harbour and Dock Bill.

Ordered, That the Honorable Mr. Cayley have leave to bring in a Bill to amend the Act of Incorporation of the Niagara Harbour and Dock Company; and that the Rules of this House be suspended as regards the same.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

Orders called.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price.

Ordered, That the Orders of the day be now called.

Representation Bill.

And the Order of the day being read, for resuming the adjourned Debate upon the Amendment which, upon Friday last, was proposed to be made to the Question, That the Bill to enlarge the Representation of the People of this Province in Parliament, be now read a second time; and which Amendment was, That all the words after "That" to the end of the Question be left out, in order to add the words "any measure in the Representation of the People in Parliament should be based upon the gradual increase of Population; and, in accordance with this principle, that every Town, County, Riding, and City now represented with a Population of not more than

*twenty thousand shall be represented by one Member, and if more than twenty thousand and less than forty thousand, then by three Members" instead thereof; And the Question on the Amendment being again proposed:--The House resumed the said adjourned Debate.*¹²

MR. H. BOULTON moved in amendment to the motion for the second reading, that the increase of representation should be based upon population, and that each constituency now represented should have one member if it contained twenty thousand; two members if more than twenty thousand, and less than forty thousand; and three members if more than forty thousand.¹³

MR. CAUCHON prit occasion de rappeler ... [à M. Boulton] ses votes et ses discours passés sur ce même bill de la représentation et sa conduite ... [passée].¹⁴

MR. H. BOULTON n'y pouvant tenir s'est ... retiré.¹⁵

MR. MCCONNELL de Stanstead se mêla de faire un discours sur la question ... Il avoua ... [qu']il parlait en simple fermier. Il s'apitoya lourdement sur ce que dans l'acte des Elections on avait permis aux nouveaux colons des Townships de devenir électeurs en vertu d'une "promesse de vente" puis il se lamenta sur l'extension et l'augmentation surprenante des Canadiens dans les Townships de l'Est. M. McConnell appréhendait fort de voir les habitants de ces Townships engloutis par le nombre de Canadiens-Français qui s'y établissent journellement, et par le fait qu'un grand nombre d'anciens colons d'origine anglaise vendent leurs terres aux nouveaux colons et s'en vont.¹⁶

Durant ... [le discours] de M. McConnell, MR. SOL. GEN. DRUMMOND [s'est levé] à plusieurs reprises pour corriger quelques-uns de ses avancés relativement à l'élection du comté de Shefford.¹⁷

MR. AT. GEN. LAFONTAINE répliqua [à M. McConnell] et fit voir par des chiffres officiels qu'en effet l'aveu du membres [sic] pour Stanstead était correct, et que la population de Stanstead avait considérablement diminué, à en juger d'après les derniers recensements.¹⁸

MR. SANBORN, le membre pour Sherbrooke, ... deux ou trois fois--avait interrompu M. LaFontaine pour appuyer ou éclaircir les assertions de M. McConnell.¹⁹

MR. AT. GEN. LAFONTAINE refuta ... tout ce qu'avait dit le membre pour Stanstead. M. LaFontaine reprocha à [M. Sanborn] d'abandonner ses anciens principes, mais il lui déclara que le gouvernement du jour ne lui achèterait jamais son vote, en lui accordant des £20,000 ou £25,000 pour des chemins et ponts dans les Townships de l'est, comme l'avait fait le ministère torys.²⁰ Mr. Lafontaine ... called upon the members who had voted for the amendment of the hon. member for Norfolk, to vote for the second reading of his bill, as by that vote they had sanctioned the principle that the representation should be increased. Those who had voted for that amendment and who voted against the second reading of the bill could not justify those votes. Let them vote for the second reading of the bill and go into Committee, and then propose their changes. The hon. member made some general remarks on the principle of his bill and principles of government²¹.

MR. MCCONNELL said the population of the county of Stanstead had decreased in consequence of the policy of the government having driven manufacturers from it to another country.²²

MR. AT. GEN. LAFONTAINE said a few words in reply, but he was inaudible.²³

MR. MACKENZIE se leva.²⁴ Son discours était tout entier contre le bill. Il s'efforça de ridiculiser le gouvernement responsable, se moqua de toutes choses et de tout le monde, cita les 92 résolutions pour appuyer son désir de voir quelques

principes reconnus dans le bill de représentation.²⁵ Mr. MacKenzie said that he would vote against the bill going into Committee. He would risk his popularity on that vote. He could not see any good that would come out of going into Committee on the bill, unless it was radically changed. He went on to ridicule the system of the double-headed government, and to complain that the Court of Chancery was maintained in Upper Canada by Lower Canadians' votes.²⁶ Il parla de la démocratie du Bas-Canada avant 1837 qu'il avait admirée. Il n'approuvait plus les membres du Bas-Canada, quoique cependant il les préférât de beaucoup aux torys.²⁷ He did not see that raising the representation to 150, the hysteria proposed in the bill, would in anything improve the present state of matters. He would never support a bill that gave representatives to such places as Sherbrooke, Cornwall and Niagara. If there were not such small constituencies as these, we should have a different class of members than the present representatives. He did not say they were not clever enough, but they were not of the right stamp. He cited another instance that he said rendered the double-headed system of government distasteful to the Upper Canadians, and that was that they were not allowed to apply the Clergy Reserves as they wished. He went on to make a discursive attack upon Mr. Lafontaine, Mr. Caron, who he said got £1,000 for doing nothing but sitting on a stool for a few evenings a year in the other House, and others, and also to speak on other matters not connected with the bill, viz., the Clergy Reserves, priestcraft, the Church of England in England, etc. He particularly dilated on priestcraft, which he said was a political power, and very formidable, which at one time caused it to be denied that the earth went round, and now acted with equal power and reason.--28

He was at length called to order by COL. PRINCE, who said that he was amused by him; but he thought the time of the country should be regarded.²⁹

MR. MORIN the SPEAKER decided that he was out of order.³⁰

Au remarques de Col. Prince, ... M. MACKENZIE répondit en citant un ancien discours du membre pour Essex. Puis il reprit aussitôt le fil de son discours³¹. [He spoke] at great length³², traitant cavalièrement le ministère et surtout les torys qu'il déclara détester cordialement, tantôt parlant aux galeries, tantôt à la chambre, mais toujours avec force [sic] citations de tout genre, et souvent au milieu de rires entremêlés de cris à l'ordre. Le petit homme se reprend toujours, revient sans cesse à son sujet, avec des notes et des faits, et la chambre ne peut le prendre en défaut, bien qu'il s'écarte assez souvent de son sujet.³³ He complained of the insufficient census of Lower Canada. He observed with reference to the Town of Sherbrooke, that it had sent them a member who had given them a specimen of his fancies which had detained the House that evening two-and-a-half hours for nothing. While that little town sent them such a specimen of ability, wisdom, and consistency, it was a good reason to keep it on the list. With respect to Upper Canada, he read over the population of a number of counties, stating that no principle whatever had been observed in adjusting representation under the bill. With respect to Lower Canada, he found all darkness, as there had been no census since 1844. He went on to show that the basis of population, as that of representation, was the doctrine of the ninety-two resolutions; and that the same principle had been contended for by Messrs. Lafontaine and Aylwin, &c., since the union. At that time (in 1810), it was felt by the Lower Canadians to be an injustice that Upper Canada should have an equal representation with themselves. And yet at this moment the very same men were prepared to put Upper Canada lowermost now that the state of population had changed. Besides, in voting for this bill, the House would take a step from which it could never retreat. The two-third vote would keep all things, as they were now arranged. He then read an extract from a letter by Mr. Cauchon in the Journal de Quebec, in which speaking of the loss of the representation bill, he declared that was the only opportunity

which would ever take place of obtaining a change in the representation, because it was probable there would never be a time again when the liberal party would obtain a majority. By the next election, it was said that the population of Upper Canada would exceed that of Lower Canada, and then, whichever party were in power, Upper Canadians would never be found to vote for this bill. The opportunity, the extract went on to say, should, therefore be taken to secure to the French Canadians a numerical majority, till they became so numerous as to be enabled to prevent a change by mere vis inertia, and so retain a supremacy in the Legislature. Mr. Mackenzie went on to complain of a number of details in the bill, and then compared the enactment of the union act, which was intended to give the French Canadians a minority of votes, to the very same conduct of the hon. Attorney General East sought to be perpetrated against the Upper Canadians. It was true that he had formerly blamed the hon. member for St. Maurice for his vote against the bill; but having now seen the bill, instead of commentaries upon it, he felt the hon. member was right and he was wrong. Now as to members, Canada had already in proportion to population, a greater representation than Ohio, New York, or Pennsylvania. At the same time he admitted that no country had ever gone back from a large to a smaller representation. He was prepared to vote for one hundred and twenty members, and to divide them equally between Upper and Lower Canada. But he would not vote to retain the present unequal representation within the limits of the two sections respectively.³⁴

MR. WILSON told a story of a little boy, who having been told by his mother that we all should meet in heaven, said if grandpapa was there, he did not wish to go. So he thought that many gentlemen in the House would not desire to go to heaven if they met the hon. member for Haldimand. He (Mr. Wilson) would not, however, object to meet the hon. member there. Now he would have voted for the bill in all frankness, but for a remark of the hon. Attorney General East which had staggered him so much, that though he would still vote for the second reading, he would vote against the third reading, unless a change were made on the principle which he would shortly explain. The hon. Attorney General had held out a threat to the members of what were called rotten boroughs, that unless they gave the two-thirds majority, probably an address would do as well--that they might, in short be swept away by a simple majority carrying an address to the Queen. Now that threat was useless, or it was worse--worse as showing that the present bill was based upon no principle whatever, but only to catch votes. He therefore would vote for the third reading of the bill only on condition that a representative should be given to every constituency having a certain population, say 5,000 or 10,000, or any other number. In that case, if his constituents were not qualified, he was sure they would not desire to retain their representative. He wanted to have the constituencies so arranged that hereafter the extension of population in new counties would be accompanied by an increase of representatives.³⁵

MR. W. BOULTON said he would not vote for the second reading of the bill now before the House, for the reason that it did not involve that principle which ought to be recognized by any bill which had for its object the increase of representation, viz, representation based upon population. He was not at all in favour of increasing the representation of the country in the very indiscriminate manner now proposed. If the people of Upper Canada were at all in favour of increasing the representation, they were only in favour of it as based upon the increase of population. The parties who brought in a bill for the increase of representation, should most decidedly have consulted public opinion in that respect. Not a single paper in Upper Canada that had advocated an increase of representation, advocated the measure upon any other principle than that. The Hon. Attorney General (East) claimed that all those hon. members who voted for the resolution in amendment, proposed by the hon. member for Norfolk, should necessarily--that in

fact they were bound, to vote for this bill. He begged to differ entirely from the opinion of the hon. Attorney General. The resolution which had been proposed, and rejected, did not pledge the House to any increase of representation. It only said that if any increase were to take place, it ought to be based upon the principle of representation being commensurate with population, and founded upon a certain given ratio. He would have voted for that amendment had he been in the House at the time the vote was taken; but he was necessarily absent. He believed that the people of the Upper Province were in favour of a measure based upon that principle. In fact, the only paper in Upper Canada which the Government had for a long time as a staunch supporter, advocated the increase of representation, based upon that principle and upon that principle only. Such was not only the opinion of the people of Upper Canada, but he was also satisfied, it was the opinion of the people of Lower Canada.³⁶

Cries of "no" "no" from the Lower Canada members.³⁷

MR. W. BOULTON [continued:] He would repeat that he firmly believed that if perhaps it were not so now, it was so formerly. (Renewed cries of "no" "no".) Yes, it had been; and indeed he was very much surprised when he heard the hon. Attorney General East make the assertion that there was nothing inconsistent in this bill, with the celebrated ninety-two resolutions, which were discussed in the Lower Canadian Parliament, a member of which the Attorney General was at the period referred to. He had examined the resolutions, and before he had got half way through them, he found one resolution in which it was declared at the time to be the opinion of the people of Upper Canada that representation should be based upon population. That was at the time when the Attorney General East held a seat in the legislature of Lower Canada as also the hon. Speaker of this House. But to the resolution--it was the 46th in that series of 92, and read as follows;--

Resolution 46 of the 92 Resolutions passed in February, 1834--

Resolved,--That it is the opinion of this Committee, that with a view to the introduction of whatever the institutions of the neighbouring States offered, and that was good and applicable to the state of the Province, this House had, among other measures passed during many years, a bill founded on the principle of proportioning arithmetically the number of representatives to the population of each place represented, and that if by the pressure of circumstances and the urgent necessity which existed, that the number of representatives should be increased--it has been compelled to assent to amendments, which violate that principle, by giving to several counties containing a population of little more than 4000 souls, the same number of representatives as to several others, of which the population is five times as great. This disposition is, in the opinion of this House an act of injustice, for which it ought to seek a remedy! And, that in new counties, in which the population increases rapidly, tends to create new settlements, it is wise and equitable that by a frequent and periodical census, such increase, and the manner in which it is distributed, should be ascertained, principally for the purpose of settling the representation of the Province on an equitable basis. Now he would ask the House if the bill now before it, was not going to violate the very principle for which the people of Lower Canada contended for at that very time? But he would read the vote upon that measure, to show how the Attorney General East--who said there was nothing inconsistent in this bill with the principles embodied in the resolutions--voted upon that occasion. The names of those voting for the resolution, who were now members of this House were Messrs. Lafontaine, Morin, Scott, DeWitt and Guillet and Mr. Leslie in the other House. Those were all members of this House, and held seats in the Lower Canada Parliament at that period, and they voted in support of those sentiments. And he would venture to say, and without the fear of contradiction, that not one of those hon. members to whom he referred, would get up in this House and say that

on voting on that action, they did not represent the sentiments of the people of Lower Canada. Why it was only the other day that the hon. member for the County of Quebec (Mr. Chaveau) brought in a resolution to the very same effect as the resolution he had read, and yet he was understood now to be in favour of this bill.³⁸

A member--He was not a member of the Lower Canadian Parliament at that period.³⁹

MR. W. BOULTON admitted that he had not been; but he was a member of the Provincial Parliament now, and represented a constituency that before the union endorsed the principle of that 46th resolution, yet he supported a bill that was diametrically opposite in principle. Was this consistency or inconsistency? But to proceed, as to the necessity of the present measures, one of the reasons assigned by the Attorney General (East) for this increase of representation was that it would do away with the corrupt influences which were brought to bear upon the Government in consequence of the limited number of members in the Legislature.⁴⁰

MR. AT. GEN. LAFONTAINE denied that he made such an assertion. He would not be guilty of making such a statement as that the Government was liable to be operated upon by corrupt influences.⁴¹

MR. W. BOULTON resumed and observed, that if the hon. Attorney General's speech of this evening were properly reported, any one who read it would place that interpretation upon what he said in his opinion as bore that construction. However, the hon. Attorney General denied having intended to convey that idea and of course his denial was entitled to respect. The hon. Inspector General had been constantly telling us that the Union between the Provinces could only be harmoniously worked out by "mutual concessions". When were we to have them? The Inspector General's idea as to "mutual concessions" seemed to be similar to his plan of "alternate Parliament--two years in one place, and four in another." The meaning of this idea of "mutual concessions" was simply the "concessions" to Lower Canada, and some to Upper Canada. The "concessions" were all on one side. Did we not see "concessions" being made to Lower Canada day after day. He would affirm that the only paper which the Government ever had pledged their support in Upper Canada, came out and boldly stated that the chief fault to be charged upon the members from Lower Canada was that they had always been asking for "concessions" at the same time that they were unwilling to make any "concession" to Upper Canada.⁴²

MR. INSP. GEN. HINCKS--He was long time in finding that out.⁴³

MR. W. BOULTON had no doubt but that the Government paid him well for keeping it in. (Laughter.) These were facts as clear as daylight. Well it was admitted by the Government's own party that Lower Canada had always been obtaining "concessions" and making more to the Upper Province. Then as the first "concession" to Upper Canada, he would ask the House to adopt that principle of representation based upon population, which was a principle recognized in every free government in which their institutions were undergoing any change. If the House would adopt the principle of basing our representation upon our population, it would adopt a principle satisfactory to the people of Upper Canada and to the people of Lower Canada, if the latter entertain the same sentiments which they did entertain when the ninety two resolutions were adopted. If the government would adopt the principle he suggested, he would be happy to vote for the second reading of the bill, and consent to go into committee in the expectation of engrafting the principle upon the bill in committee because when once in committee they could not effect it. And, in case the bill chanced to go to committee, and the entire character of it were not materially changed, he would vote against its third

reading, because, as it at present stood, principles were embodied in it which in his opinion were entirely opposed to every cause of justice.⁴⁴

MR. CARTIER denied that the public opinion in Lower Canada was in favour or representation according to population. It must be perceived at once that the position of the country was entirely changed since the period of the ninety-two resolutions, and though that principle was avowed in a petition from the City of Quebec, which had been alluded to, the petition had never been sanctioned in the District of Montreal, where the population was larger than all the rest of the districts of Lower Canada. At any rate he was very sure that no candidate would be elected unless he advocated an increase of representation, and at the same time equality of representation between the two sections of the Province. It was not very unusual in other countries to have a representation not based precisely on the numbers of the population. This was so in the United States Senate; it had once been so in the two Carolinas; and it was still so in Virginia. In the latter country there was a conflict of interests between Eastern and Western Virginia, Eastern Virginia wanted the mixed basis, counting slaves and property, whereas in Western Virginia they required the representation to be based on the number of white electors. The Convention lately sitting upon the reform of the constitution, at last agreed upon a compromise, Western Virginia is to have 14 members majority in a House of 150 and Eastern Virginia a majority of ten in the Senate.--This showed that topographical peculiarities made it necessary sometimes to sacrifice the strict principle. He again repeated that Lower Canada would be opposed to representation according to population, and they would prefer the repeal of the union to such a change. They were in sufficient numbers to prevent it taking place, and so long as they were French Canadians they would endeavor to prevent it.⁴⁵ L'hon. membre pour Verchères entretint longuement la chambre⁴⁶.

DR. NELSON replied to the remarks of the hon. member for Stanstead, regretting his remark that the townships were going to be swamped by the French Canadians. He defied any member to bring a just charge of injustice against the French Canadians, or to show at what time the French Canadians had attempted to swamp their fellow subjects. He did not feel so much surprised however, as he should otherwise have been because it was well known that an attempt had been made to swamp the French Canadians by sending a gentleman to England to endeavour to get the townships filled up by old country people, so as to keep the French Canadians out. That gentleman had above all things desired, too, not to have Englishmen sent out, because they have liberal ideas; not to have Irishmen sent out because they would unite with the French, but rather to send out Scotchmen, who were celebrated with all their excellence of character--for backing obstinately together. As to this swamping of Canadians, too, he would tell the people of Upper Canada that it was fortunate for them, even for the preservation of their property, that there were a number of consistent French Canadians in the Legislature. This led him to justify the late French vote upon the Chancery bill, and their course upon the Clergy Reserves and Rectories. The French Canadians would act as the balance between the two parties into which Upper Canada was divided, so as to prevent them from disowning each other.⁴⁷ Jamais les Canadiens-Français dans les affaires politiques ne s'étaient arrêtés aux questions d'origine ou de religion: il termina en assurant que tous les Canadiens désiraient de tout leur coeur voir leurs compatriotes d'origine anglaise s'établir au milieu d'eux, et partager tous les avantages et privilèges dont ils jouissent.⁴⁸

Après M. Nelson, des cris de "question" "à l'ordre" s'élevèrent de toutes partes.⁴⁹

Cependant MR. SANBORN, membre pour le comté de Sherbrooke, obtint la permission de faire quelques observations.⁵⁰ [He] was desirous of giving his reasons for his vote that night. He had voted for the bill last session; saying at the same time

that he doubted whether he would be sustained by his constituents. He had since learned that his vote had not met their approbation. But looking at the bill as an experiment, he would still brave the displeasure of his constituents if he felt sure that it would be for the good of the Province. He did not, however, feel sure of that. On the contrary, he saw that there was no principle whatever on which the bill might be said to be based. After alluding to the statements which Mr. Lafontaine had made on a previous night about corruption, and the particular charges he had since made against the hon. member for Stanstead, he denied the right of any member to make such a charge against another hon. member, and thought that when the hon. member for Montreal talked about corruption, it would be better for him to look to his own course and see if he had been consistent throughout his life--whether the ninety-two resolutions were anything like the bill now introduced. He thought the position of the hon. Attorney General East should have raised him above making insinuations. His hon. friend from Stanstead had stated his opinion that the hon. Attorney General was an honest man. The hon. Attorney General would not say the same of the hon. member for Stanstead though there was not a more honest man in the Province. As to the remark of the hon. member for Stanstead, there had been too much said about it. He (Mr. Sanborn) desired to get rid of all prejudices and believed they were fast disappearing but at the same time he could not help condemning the system which allowed of votes being given upon promesses de vente. This plan brought in a number of voters possessed of no property, and so, by an insidious sort of universal suffrage did swamp the old settlers throughout the country. In the new appointment of the counties under the present bill, a number of new townships were to be added to his county, though already one of the largest in the country, and these townships being titled with votes on promesses de vente would actually destroy the suffrage of the old settlers. The hon. Attorney General had said that it was the policy of government to grant no more money for roads and bridges. He (Mr. Sanborn) made no complaint of that; and assured the hon. member that the townships did not want to be corrupted by such means.⁵¹ Il ... gourmanda le ministère pour lui avoir répondu brièvement à plusieurs questions qu'il lui avait adressées durant la session, et finalement annonça qu'il voterait contre la mesure, parcequ'elle serait préjudiciable aux habitants de son comté, en raison du nombre de townships nouveaux qu'on avait ajoutés à Sherbrooke, lesquels se peuplaient de Canadiens qui finiraient par engloutir les anciens colons.⁵²

Après M. Sanborn, les cris de question retentirent de tous côtés.⁵³

COL. GUGY declared he could not understand the inconsistency of the hon. member for Sherbrooke.⁵⁴

MR. G. SHERWOOD said the hon. member for Sherbrooke town, who had just sat down, was the very last person who should have spoken of another's inconsistency; since he three years before had voted against the bill, and was now evidently about to vote for it.⁵⁵

On fit l'appel des membres, et pendant que les messagers réunissaient les membres dispersés dans les corridors, MR. ROSS prit occasion de dire quelques mots en faveur de la mesure.⁵⁶ Mr. Ross contended that the real question to be decided was whether an increase of representation was required by the country. If so, the bill should be allowed to get to the committee and be understood that no one denied that proposition. He put it to hon. members then whether any liberal measure could not be determined readily in a House of 150 than in a House of 84, and if so, how they could excuse their conduct to their constituents at the hustings, if they voted against it.⁵⁷

(205)

And the Question being put on the Amendment; the House divided:⁵⁸ and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Crysler, Hopkins, Macdonald of KINGSTON, Malloch, McConnell, McLean, Robinson, Sherwood of BROCKVILLE, Smith of DURHAM, and Stevenson.--(15.)

NAYS.

Messieurs Armstrong, Baldwin, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Egan, Fergusson, Flint, Fournier, Fourquin, Gagy, Guillet, Hincks, Holmes, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Lyon, Solicitor General Macdonald, Mackenzie, McFarland, Merritt, Méthot, Mongenais, Morrison, Nelson, Notman, Papineau, Polette, Price, Prince, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Viger, and Wilson.--(46.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Burritt, Cameron of KENT, Cartier, Cauchon, Chabot, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Egan, Fergusson, Flint, Fortier, Fournier, Fourquin, Gagy, Guillet, Hall, Hincks, Holmes, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Lyon, Solicitor General Macdonald, McFarland, Méthot, Mongenais, Morrison, Nelson, Notman, Polette, Price, Prince, Richards, Ross, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, Taché, Viger, Watts, and Wilson.--(55.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Christie, Crysler, Hopkins, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McLean, Papineau, Robinson, Sanborn, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(18.)

So it was resolved in the Affirmative.

And Notice being taken that the 26th Section of the Imperial Act 3 & 4 Vic. cap. 35, provides, that it shall not be lawful to present such Bill to the Governor of this Province for Her Majesty's Assent, unless the second and third Readings of the said Bill shall have been passed with the concurrence of two-thirds of the Members for the time being of both Houses of the Legislature respectively;

MR. SOL. GEN. DRUMMOND rose and called for the vote of the member for Bellechasse.⁵⁹

MR. MORIN the SPEAKER rose and declaring that he was sensible of the great responsibility that rested upon him, intimated that he could not vote. He referred to the Union Act, and read an extract⁶⁰. [He] declared that he was of opinion that he should not ... [vote], and that comparing the 348th clause of the Imperial Act, 3rd and 4th Vic., Chap. 45, he found that in the present case the Speaker had no right to vote, the 26th Clause having reference to a proceeding common to the two Houses, and establishing no rule for the one House.⁶¹ Again he said he could not vote and resumed his chair.⁶²

(205)

and Mr. Speaker being called on to give his Vote, he declared it to be his opinion, on comparing the 26th and 34th Sections of the said Act, that in this case the Speaker was precluded from Voting, and that the provision in the 26th Section

related to a proceeding with another Branch of the Legislature without establishing any other process or mode in this House.

Several members rose on the ministerial side⁶³.

MR. CAUCHON was beginning a speech.⁶⁴--

A general cry of "no debate" [arose] ⁶⁵.

MR. CAUCHON then appealed against the decision of the speaker⁶⁶.

MR. SOL. GEN. DRUMMOND, seconded by MR. CAUCHON, appealed from the decision of the chair, in order to get the Speaker to vote.⁶⁷

(205)

And an Appeal being made from Mr. Speaker's decision; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cameron of KENT, Cayley, Chabot, Christie, Crysler, Davignon, Duchesnay, Egan, Fourquin, Gugy, Hall, Hincks, Hopkins, Johnson, Attorney General LaFontaine, LaTerrière, Laurin, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McConnell, McFarland, McLean, Papineau, Price, Prince, Richards, Robinson, Ross, Sanborn, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, Stevenson, Taché, and Wilson.--(43.)

NAYS.

Messieurs Armstrong, Bell, Burritt, Cartier, Cauchon, Chauveau, Solicitor General Drummond, Dumas, Fergusson, Flint, Fortier, Fournier, Guillet, Holmes, Jobin, Lacoste, Lemieux, Mackenzie, Méthot, Mongenais, Morrison, Nelson, Notman, Polette, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, and Watts.--(28.)

So the decision of Mr. Speaker was confirmed.

The Bill was then read a second time.

The Honorable Mr. Attorney General LaFontaine moved, seconded by the Honorable Mr. Price, and the Question being put, That the Bill be committed to a Committee of the whole House, for Friday next; the House divided:--And it was resolved in the Affirmative.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Solicitor General Macdonald,

The House adjourned.⁶⁸

[HOUSE CLEARED AT REQUEST OF COL. GUGY.]⁶⁹

COL. GUGY arose in his place and⁷⁰ said he regretted to have occasion again to bring before the House a matter to which he alluded a few days ago. The House was aware that certain persons styling themselves reporters were allowed to be present, in order that they might convey to the public reports of hon. members speeches, and of the proceedings of the house. It was the duty of these persons to report faithfully, all hon. members' speeches; and he had felt bound to state that so far as he was concerned, this duty had been most disgracefully violated.⁷¹ He said the press studiously insulted him by the suppression of his name and that until a different course was pursued towards him, he would perssit [sic] in ordering the galleries to be cleared.⁷² The reporters had uniformly--and apparently by concert--omitted all reports of the remarks which he had from time to time addressed to the house⁷³. Il regardait cette conduite comme injuste à son égard, et pour se mettre sur un pied d'égalité avec les autres membres ses collègues il se voyait forcé d'avoir recours à l'exercice de ce droit.⁷⁴ He ... felt that it was due to himself, as well as to that hon. house to take steps to compel these parties to act in a different manner. He had said that all the newspapers had suppressed his speeches, but on a recent occasion the Globe had done so in a most marked manner. He was now prepared, therefore, to carry out the promise he made a few days ago, which was to move that no strangers be allowed to enter the galleries, until some kind of assurance were offered, that this ground of complaint should exist no longer. He regretted that this course had been forced upon him, but as it presented itself in a manner so marked, he had no alternative but to insist on his right, as a member of the house, to have the galleries cleared.⁷⁵

The Galleries were cleared accordingly, and so remained for two or three hours.⁷⁶

Quand, ... , tous les étrangers furent sortis, ... COL. GUGY dit que la presse de Toronto était malhonnête et travestissait volontairement les discours ou ne les rapportait pas du tout, dans un but de nuire aux députés qui n'étaient pas des leurs; que puisqu'il en était ainsi il se prévaudrait de son privilège de député pour lui ôter la jouissance de mentir; qu'il était temps que la représentation du pays ne fût plus l'esclave d'une presse ignoble et malhonnête.⁷⁷

While in secret conclave MR. AT. GEN. LAFONTAINE ... [gave] vent to [his] annoyance [that the reporter for the Montreal Gazette] occasionally ... [attended] the debates below the bar and ... [took] notes. He also complained of some of [that reporter's] friends in the House now and then coming to speak to ... [him, the reporter] there when they had anything private to say.⁷⁸

FOOTNOTES: 29 JULY 1851.

1. At the request of Col. Gagy, the galleries were cleared for a period of two or three hours. The reports disagree as to the exact timing of this request, although it was clearly early in the day. Because of the general disagreement in the newspaper accounts about the time of this occurrence, it has been placed in the Appendix. The reporters were readmitted after the motion for adjournment was defeated.
2. BRITISH COLONIST, 1 August 1851.
3. The following papers reported the debate on this matter in identical accounts: MONTREAL TRANSCRIPT, 31 July 1851, and MORNING CHRONICLE, 31 July 1851. The debate was also reported by: MONTREAL GAZETTE, 7 August 1851; and JOURNAL DE QUEBEC, 7 August 1851. GLOBE, 31 July 1851, noted the debate.
4. JOURNAL DE QUEBEC, 7 August 1851.
5. MONTREAL GAZETTE, 7 August 1851.
6. IBID.
7. MONTREAL TRANSCRIPT, 31 July 1851.
8. MONTREAL GAZETTE, 7 August 1851.
9. IBID.
10. JOURNAL DE QUEBEC, 7 August 1851.
11. MONTREAL TRANSCRIPT, 31 July 1851.
12. The following papers reported the debate on this matter in identical accounts: MONTREAL TRANSCRIPT, 31 July 1851, BRITISH COLONIST, 1 August 1851, MONTREAL GAZETTE, 2 August 1851, and LA MINERVE, 2 August 1851. GLOBE, 31 July 1851, noted the debate. A commentary appeared in MONTREAL GAZETTE, 2 August 1851.
13. MONTREAL TRANSCRIPT, 31 July 1851.
14. LA MINERVE, 2 August 1851.
15. IBID.
16. IBID. MONTREAL GAZETTE, 2 August 1851, commented: "There was nothing very novel brought out in the debate, and nothing very peculiar if we except an excellent, sound, sensible speech from Mr. McConnell, which was listened to with much attention by the House, and drove Mr. Lafontaine into a violent passion."
17. LA MINERVE, 2 August 1851.
18. IBID.
19. IBID.
20. IBID.
21. BRITISH COLONIST, 1 August 1851, which added that "from his indistinct utterance, and the position of the Reporters' gallery, LaFontaine was very indistinctly audible--too much so to report."
22. BRITISH COLONIST, 1 August 1851.
23. IBID.
24. LA MINERVE, 2 August 1851, observed: "Ils s'établit aussitôt un profond silence, car l'hon. membre pour Haldimand parle toujours avec une grande abondance, l'histoire et les faits à la main."
25. LA MINERVE, 2 August 1851.
26. BRITISH COLONIST, 1 August 1851.
27. LA MINERVE, 2 August 1851.
28. BRITISH COLONIST, 1 August 1851.
29. IBID.
30. IBID.
31. LA MINERVE, 2 August 1851.
32. BRITISH COLONIST, 1 August 1851.
33. LA MINERVE, 2 August 1851.
34. BRITISH COLONIST, 1 August 1851.
35. IBID.

36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. LA MINERVE, 2 August 1851.
47. BRITISH COLONIST, 1 August 1851.
48. LA MINERVE, 2 August 1851.
49. IBID.
50. IBID.
51. BRITISH COLONIST, 1 August 1851.
52. LA MINERVE, 2 August 1851.
53. IBID.
54. BRITISH COLONIST, 1 August 1851.
55. IBID.
56. LA MINERVE, 2 August 1851.
57. BRITISH COLONIST, 1 August 1851.
58. MONTREAL GAZETTE, 2 August 1851, described the scene in the House as follows:
 "The House was very crowded, and at the taking of the names on the division, there was a most profound silence. Every ear was erect to hear the names as they were called, and the pause while they were being counted up, betokened the depth of feeling excited, and the earnest interest felt in the result about to be given. The members themselves were still as death; you could almost hear the deep breathing on the benches. The Speaker himself, who had checked the names on a blank division list as they were called over, seemed to have arrived at the result before the clerk had satisfied himself of his list as he totalled up, and the expression which came over his countenance as he adjusted himself in his chair, told of the immense importance attached to the carrying of the bill, and of its defeat. When the announcement was made, the same unbroken, grave-like silence continued. There was not a cheer for those who had fought the battle against it, nor any gesture of triumph."
59. MONTREAL GAZETTE, 2 August 1851.
60. IBID.
61. MONTREAL TRANSCRIPT, 31 July 1851.
62. MONTREAL GAZETTE, 2 August 1851, which added: "The intense excitement had taken the blood from his face, and he looked exhausted with the strong feelings which had been chasing with rapidity within."
63. MONTREAL GAZETTE, 2 August 1851.
64. IBID., which continued: "The incident changed the aspect of the House. The crisis was past, and a general cry of 'no debate' intimated that the dry routine was restored."
65. MONTREAL GAZETTE, 2 August 1851.
66. MONTREAL TRANSCRIPT, 31 July 1851.
67. MONTREAL GAZETTE, 2 August 1851.
68. MONTREAL GAZETTE, 2 August 1851, noted "the House adjourned immediately after the vote." According to LA MINERVE, 2 August 1851, the adjournment took place "à minuit et demi."
69. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 30 July 1851, BRITISH WHIG, 30 July 1851, MONTREAL TRANSCRIPT, 31 July 1851, and LA MINERVE, 31 July 1851; EXAMINER, 30 July 1851, GLOBE, 31 July 1851, BRITISH COLONIST, 1 August 1851, NORTH AMERICAN, 1 August 1851, and

HAMILTON SPECTATOR, 2 August 1851. The debate was also reported by: MONTREAL GAZETTE, 2 August 1851; LA MINERVE, 5 August 1851; and JOURNAL DE QUEBEC, 5, 7 August 1851.

70. MORNING CHRONICLE, 30 July 1851.
71. HAMILTON SPECTATOR, 2 August 1851.
72. MORNING CHRONICLE, 30 July 1851.
73. HAMILTON SPECTATOR, 2 August 1851.
74. LA MINERVE, 5 August 1851.
75. HAMILTON SPECTATOR, 2 August 1851.
76. IBID.
77. JOURNAL DE QUEBEC, 5 August 1851.
78. MONTREAL GAZETTE, 2 August 1851.

WEDNESDAY, 30 JULY 1851.

MORNING SITTING.

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Petitions read.

PURSUANT to the Order of the day, the following
Petitions were read:--

Of J.G. Bowes, Esquire, and others, of the City of Toronto, members of the Wesleyan Methodist Church in the said City; praying for the passing of the Bill to incorporate the Benevolent Societies of the said Church.

Of F. DeSales Bastien, Notary, Secretary-Treasurer of the Municipality of the County of Vaudreuil, on behalf of the said Municipality; praying for the construction of a Main Trunk Railway from Montreal to Prescott, Kingston, Toronto, and some point opposite Detroit in the United States.

Of James Lyons, Civil Engineer, of the City of Hamilton; praying payment of a certain amount due him by the Department of Public Works, for services rendered and expenses incurred by him in the late Newcastle and Colborne Districts.

Of the Company of Proprietors of the Champlain and St. Lawrence Railroad; praying that their application for leave to construct a Bridge across the River Richelieu may be granted in whole or in part, or otherwise that they may be authorized to establish a Ferry across the said River.

Of the Reverend Henry Wilkes, D.D., and others, Congregationalists of the City of Montreal, and others, the Ministers and Church Wardens of the several Churches and Chapels belonging to the Church of England in the said City; praying for the adoption of measures to abolish all labor on the Lord's Day in the Postal Department of the Public Service.

Gould & Sons
Naturalization
Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to naturalize Ira Gould and others, and for other purposes," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

In the Preamble of the Bill:

Press 1, line 2. Leave out from "Trader" to "and" in line 7.

Press 1, line 9. After "Gould" where it occurs the second time, insert "of the same place."

Press 1, line 10. After "have" leave out "also" and insert "by their Petition represented that they have all resided uninterruptedly in this Province during a period of four years last past, and that they are all desirous of permanently settling in this Province, and of becoming Subjects of Her Most Gracious Majesty the Queen, and have."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Badgley do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Petition to
be printed.

Ordered, That the Petition of F. DeSales Bastien, Secretary-Treasurer of the Municipality of the County of Vaudreuil, on behalf of the said Municipality, be printed for the use of the Members of this House.

Contingencies.

Resolved, That this House doth concur in the First Report of the Standing Committee on Contingencies, presented to the House on Tuesday the eighth instant.

Petition of
L.C. Macaire.

Mr. Ross moved, seconded by Mr. Méthot, and the Question being put, That a Special Committee of five Members be appointed to inquire into and report upon the circumstances under which the House and premises occupied by L. Cyrus Macaire, of Montreal, as stated in his Petition to this House, were destroyed by fire while in the possession of a Coroner's Court and Military Force, in the month of August, 1849;¹

MR. ROSS moved that the petition of S. Macaire, praying for indemnity for the destruction of his house and furniture by fire, in Montreal, in 1819, be referred to a select committee.²

MR. H. SHERWOOD asked if the petition had been made to the government³.

In answer ... MR. ROSS stated that the petitioner had made application to the government,⁴ and [the response] had been negative.⁵

MR. COM. CR. LANDS PRICE resisted the motion, on the ground that this was not the proper tribunal to investigate the matter. If any enquiry were necessary it should take place at Montreal, where the occurrence took place, and where all the witnesses resided. If there were any⁶ valid⁷ claim, it was against the Corporation of Montreal, not against the government.⁸ There would be no end to inquiries of this nature, if once begun.⁹

MR. ROSS said that the fire took place while the house was in possession of the city coroner (who was then carrying on an investigation), and of a military force.¹⁰

MR. CHABOT sympathised with the petitioner, but saw no ground for inquiry by the house.¹¹

MR. HOLMES said that the petitioner was unwilling to submit his claim to the corporation of Montreal, because he knew that the facts which would be elicited would go totally to disprove any claim on his part, either upon the commiseration of the public, or the consideration of the House.¹²

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Lemieux, Lyon, Méthot, and Ross.--(4.)

NAYS.

Messieurs Badgley, Bell, Boulton of NORFOLK, Boulton of TORONTO, Cartier, Chabot, Chauveau, Crysler, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fournier, Fourquin, Gugy, Guillet, Hall, Holmes, Hopkins, Jobin, Lacoste, LaTerrière, Laurin, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McConnell, McFarland, McLean, Morrison, Notman, Polette, Sanborn, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, Stevenson, and Taché.--(42.)

So it passed in the Negative.¹³

On motion of Mr. Armstrong, seconded by Mr. McFarland,

Public Works.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, a Return shewing the original cost of each of the Roads, Bridges, Slides, and Harbors in the possession or under the control of the Provincial Government during the years 1849 and 1850, for which the guarantee of the Province was liable.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Craig's Road
(St. Nicolas.)

The Honorable Mr. Price, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 23d July, 1851, for the Report of the Inspector of the Queen's Domain at Quebec, on the subject of that part of the Craig's Road which passes through the Parish of St. Nicolas, in the Seigniorship of Lauzon, and the obligation to keep which in repair is imposed upon the inhabitants of the Parish of St. Giles, in the County of Lotbinière, and all documents relating thereto.

Appendix (C.C.C.)

For the said Return, see Appendix (C.C.C.).

On motion of Mr. Mackenzie, seconded by Mr. Smith of Durham,

King's College
and Upper Canada
College.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency would cause to be laid before this House, a copy of the Report or Reports of the Commissioners who were appointed to enquire into the Affairs of King's College, (now the University of Toronto,) and Upper Canada College.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Bill relating
to unorganized
Tracts of Country
in Upper Canada.

Ordered, That the Honorable Mr. Baldwin have leave to bring in a Bill to make better provision for the administration of Justice in the unorganized Tracts of Country in Upper Canada.

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He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

MR. H. SHERWOOD¹⁴ moved that¹⁵ the 19th¹⁶ Standing Rule of the House be so amended, as to prevent any one member having it in his power to have the House cleared of strangers¹⁷, as was done the day preceding.¹⁸ Yesterday (he remarked) the House was cleared at the request of an hon. member [Col. Gagy]¹⁹, and on looking at the rule it was found he had a right to make the request, and it was the Speaker's duty, on the request being made, to clear the House without debate. After the House was cleared, there was a general expression of feeling on the part of members that business should be proceeded with, but that it should not be proceeded with till the doors were opened. But the hon. member at whose request the House had been cleared, refused to give his consent to the opening of the doors, but said he would proceed with closed doors. He (Mr. S.) moved an adjournment, on the ground that they ought not to proceed with closed doors; but that was lost by a small majority. Another hon. member moved an adjournment for the second time; when the hon. member at whose request the house had been cleared, gave his consent, and the doors having been opened, business was proceeded with. It therefore appeared to him (Mr. Sherwood) that this rule of the House required amendment, and he proposed it be amended by rendering it necessary that a motion for clearing the House, should be moved by one gentleman, and seconded by another.²⁰

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Strangers.

The Honorable Mr. Sherwood moved, seconded by the Honorable Mr. Macdonald, and the Question being put, That the Nineteenth Standing Rule of this House be rescinded; and the following adopted in its stead, and to stand as such Nineteenth Rule:--"That any Member may, upon being seconded by another Member, desire the House to be cleared of Strangers; and

and the Speaker shall immediately give directions to the Serjeant at Arms to execute the order without debate; but it shall be competent to the House, in its discretion, at any time when it is so cleared, to direct the doors to be re-opened;"

MR. H. BOULTON thought that some improvement of this kind was indispensable, to prevent a repetition of yesterday's proceeding. He was satisfied that the House would never allow the public business to be transacted with closed doors. In the Congress of the United States, the doors could not be closed without the vote of a majority.²¹

MR. AT. GEN. BALDWIN thought the change was unnecessary. He did not think that the hon. member who yesterday moved the closing of the doors would persist in a course which was calculated to impede public business. It would be better, therefore, to let the matter stand on its present footing, which was based on a sound principle.²²

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Boulton of NORFOLK, Boulton of TORONTO, Christie, Davignon, Fergusson, Fortier, Holmes, Hopkins, Johnson, LaTerrière, Macdonald of KINGSTON, Malloch, McConnell, McLean, Notman, Robinson, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, and Stevenson.--(25.)

NAYS.

Messieurs Baldwin, Cartier, Cauchon, Chabot, Chauveau, Duchesnay, Dumas, Fournier, Fourquin, Guillet, Hincks, Jobin, Letellier, Solicitor General Macdonald, Méthot, Mongenais, Morrison, Nelson, Polette, Price, Smith of DURHAM, Taché, Viger, Watts, and Wilson.--(25.)

And the Votes being equally divided; Mr. Speaker gave his casting Vote in the Negative.

Rectories.

Mr. Notman moved, seconded by Mr. Hopkins, and the Question being put, That leave be given to bring in a Bill to repeal the 38th, 39th and 49th Sections of the Imperial Act 31st Geo. 3, cap. 31, to abolish the Rectories, and to declare void the several Letters Patent under which they were respectively constituted; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of NORFOLK, Fergusson, Hall, Hopkins, Mackenzie, Notman, and Smith of DURHAM.-(8.)

NAYS.

Messieurs Baldwin, Boulton of TORONTO, Cartier, Cauchon, Chabot, Chauveau, Christie, Davignon, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Guillet, Jobin, Johnson, LaTerrière, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McConnell, McLean, Méthot, Mongenais, Morrison, Nelson, Polette, Price, Richards, Robinson, Ross, Sanborn, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, Taché, Viger, Watts, and Wilson.--(43.)

So it passed in the Negative.

Agriculture Act
(L.C.) Amendment
Bill.

Mr. Fournier moved, seconded by the Honorable Mr. Chabot, and the Question being put, That leave be given to bring in a Bill to amend the Act for the encouragement of Agriculture in Lower Canada; the House divided:--And it was resolved in

the Affirmative.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Saturday next.

Indians (L.C.)
Property Pro-
tection Bill.

Ordered, That Mr. Solicitor General Drummond have leave to bring in a Bill to amend the Act for the better protection of the Lands and Property of the Indians in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Bill relating
to Patents for
Inventions.

Ordered, That Mr. Solicitor General Macdonald have leave to bring in a Bill to enable parties holding Patents for Inventions confined to one Section of this Province, to obtain the extension of the same to the other

Section thereof, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

On motion of Mr. Mackenzie, seconded by Mr. Bell,

Analytical Index
to certain Statutes.

Resolved, That an Analytical Index to the contents of the Acts of this Session, and of such of the Acts of former Sessions as are now in force, but which were not

printed in the Public Acts of former years, and would not be printed under existing regulations, be forthwith prepared by the Law Clerk, and placed, in double columns, bourgeois type, without marginal notes, at the end of the Public Acts of this Session, in the printed volume of Statutes.²³

MR. H. BOULTON moved,²⁴ That it is inexpedient to remove the Seat of Government until after the next Session of Parliament. No Sufficient reason had been shown for the removal from Toronto before the expiration of four years. Such a course would be an act of gross injustice to Upper Canada, and was intended solely to gratify the wishes, and meet the inconvenience, of Lower Canada members.²⁵

MR. HOPKINS, who seconded the motion²⁶, said a few words in support of [it]²⁷. [He] was met, on rising, with divers noises from Lower Canada members which continued some time. When they had subsided, the hon. member remarked that the Attorney General East, and many of his followers, had declared that the Union with Upper Canada had been consummated in injustice. He would venture to say that if Lower Canada would move for a dissolution of the Union, Upper Canada would almost unanimously agree to it.²⁸

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Seat of
Government.

The Honorable Mr. Boulton moved, seconded by Mr. Hopkins, and the Question being proposed, That it is inexpedient to remove the Seat of Government until after the expiration of four years from the time of its recent removal to Toronto;

MR. W. BOULTON rose to support ... [the motion], but two o'clock having arrived he moved that the debate be adjourned till 4 o'clock.²⁹

The House then adjourned.³⁰

AFTERNOON SITTING, 4 O'CLOCK P.M.

MR. MORIN the SPEAKER took the chair at 4 o'clock.³¹

The adjourned debate on Mr. H.J. Boulton's resolutions against the removal of the seat of Government, was resumed³².

MR. W. BOULTON rose, and, in the midst of some symptoms of impatience, said that these [reasons] should not be shown, as it was unreasonable to suppose that the business of the legislature, now that the Provinces were united, could be done in less time than in the separate Provinces before the union. In each of these [sections] the usual time was then three or four months. He expressed his concurrence in the resolutions before the Houses and read a resolution from the journals of 1841, supported by Mr. Baldwin, and expressing the opinion that the parliament should be four years in Upper Canada, and four in Lower Canada.--He asked why that gentleman should make 1851 an exception to 1841, and adopt in the latter year a different principle, and still more, when the proposed removal would be breaking faith with Upper Canada, according to the terms of the resolutions of 1849. At the present time, when the whole country was demanding the construction of roads, what justice was there in expending £25,000 to take the seat of government to Quebec? But this sum would be less than the actual cost and the incidental expenses of the removal would not amount to less than £50,000.³³ If the system of alternate parliaments were proposed with the view of binding more closely the interests of the people of the two sections of the Province, it was desirable that the removal from Toronto should not take place until the expiration of four years; but if it was not intended to carry out the system in the spirit of fairness, then it was desirable that the system of travelling parliaments should be abandoned, and that some convenient place should be selected for the permanent location of the Seat of Government.³⁴ He concluded by reading the resolutions in amendment, which he moved.³⁵

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Mr. Boulton of Toronto moved in amendment to the Question, seconded by Mr. McLean, *That all the words after "That" to the end of the Question be left out, in order to add the words "in 1841, in an Address from the Legislative Assembly of this Province to Her Majesty respecting the Seat of Government, it was declared, That the great object of the Union was to amalgamate, as soon as possible, into one People, the Population of both Provinces; gradually, but gently, to assimilate their laws and customs, their hopes and interests; and that it was the sincere conviction of the said Legislative Assembly, that no measure could with equal facility quicken such happy results as causing the Legislature to meet four years in the midst of one Population, and four years in the midst of the other: That, in 1849, another Address was adopted by the said Legislative Assembly, recommending that after the then Session, Parliament should be convened alternatively at Toronto and Quebec, during periods not exceeding four years at each place: That such last mentioned Address was concurred in by many, from its being evident that if the recommendation was then adopted, of holding the Parliament four years in each place from the last mentioned period, two years of each successive Parliament would be held in each section of the Province, whereby the Representatives of Upper and Lower Canada, elected to serve for four years, would, whilst legislating for the whole Province, become acquainted with the inhabitants of each division, their habits and views, their wants and expectations, able to appreciate their just desires, and to adopt such measures as would, without violence to any feelings, or even prejudices, gradually transform them into one People: That by a faithful adherence alone to the terms on which the concurrence of the Legislature was obtained, can the happy results anticipated from alternate Parliaments be*

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looked for. If, on the other hand, all conditions are disregarded, and the Seat of Government held at either Toronto or Quebec for uncertain or unequal periods, at the instance of any party in the Legislature who can influence such removal, the scheme of alternate Parliaments will prove but an idle waste of money, wholly inefficient for any good purpose, and must end in the disappointment of those hopes which induce the sanctioning of two Seats of Government within one Province: "That the expenditure for the removal to and from Toronto, within the short period of two years, and the expenses incidental thereto, will involve an outlay of nearly Fifty-thousand pounds, an appropriation most unjustifiable, unless to carry out some feasible scheme, based on the principle of equal justice, to attain great and important results, and not to be changed or altered to suit the capricious views of any Administration whatever: That if the system of alternate Parliaments is not adopted in accordance with and to carry out the views expressed in the Addresses above referred to, and if Parliament is not held in Toronto four years, previous to its removal to Quebec for the same period, then it is expedient and necessary that the Legislature should at once designate some place whereat the Seat of Government, for United Canada, shall be permanently fixed, and buildings suitable for the requirements of the public service at once erected;"

And a Debate arising thereupon;

MR. INSP. GEN. HINCKS suggested the adjournment of this debate, to allow of the Government business being proceeded with.³⁶

MR. H. SHERWOOD objected, unless the motion was made first in the order of the day for to-morrow.³⁷

MR. INSP. GEN. HINCKS declined to accede to this.³⁸

MR. H. SHERWOOD said he would then proceed with his remarks on the subject, which was one of considerable importance to his constituents³⁹ [and he] would confine himself to some remarks on the amendment of the hon. member for Norfolk, and not refer to other matters connected with the question. He avowed his belief in the policy of alternate parliaments, even at increased expense. He had formerly expressed this belief, and he had not changed it.⁴⁰ He viewed the subject solely in reference to the union of the two sections of the Province; and with a conviction that the system of alternate parliaments was essential to the carrying out of the union.⁴¹ He believed that bringing the parliament to this city had been productive of good, by making the members from Lower Canada acquainted with this city. (Hear.) As it also made them acquainted with the resources of the country in a manner that they never could have been had the seat of government remained in Lower Canada.⁴² Conceiving that the interchange of visits which alternate parliaments implied, would be beneficial to all parties, by affording them facilities for acquiring an intimate knowledge of the characters and capabilities of either section, he thought that, notwithstanding its expensiveness, the system was worthy of being maintained. No other system could preserve the harmony and tranquility which it was desirable to preserve between Upper and Lower Canada. He then narrated the circumstances under which his resolutions in reference to the removal from Montreal to Toronto, were adopted in 1849, when⁴³ he saw the⁴⁴ independence of Parliament⁴⁵ besieged in Montreal by⁴⁶ "an infuriated rabble"⁴⁷ and carrying on its deliberations at the point of the bayonet, he came to the conclusion that they could not longer remain there and thought that a fitting time to bring again forward the plan of alternate parliaments. He read from his resolutions to remove from Montreal⁴⁸. [The] resolutions were originally submitted [*sic*] to the Attorney General West, who suggested two alterations--one, that the word "general," as applied to the complaints that existed in U.C. in regard to the prior removal of the Seat of Government, should be struck out; the other, that the resolutions

should be so worded that they should convey the idea, that Parliament should sit "alternately in U. and Lower Canada, for a period not exceeding four years"⁴⁹. Mr. Baldwin had objected to time being fixed as an encroachment on the prerogative [sic] of the Crown, and this gentleman [Mr. B.] had also objected to two years as too short a period for the parliaments to alternate and likely to be too expensive.⁵⁰ These alterations were agreed to, and he (Mr. S.) contended that the term "alternate" would be disregarded, if, after remaining two years at Toronto, Parliament were removed to Quebec for four years.⁵¹ He explained that his idea was that Parliament should alternate every four years in such manner, that members of each parliament should go to either section of the province two years of each parliament. Those were the arguments he then used. He referred to the letter of Mr. Lesslie, which stated that the parliament would be removed to Toronto in deference [sic] to the address. That address was for alternate parliaments. He asked them to pay attention to the meaning of the word alternate.⁵² The term "alternate" implied equal, and, therefore, either the Seat of Government should remain at Toronto four years, or if now taken to Quebec, should remain there but two years.⁵³

MR. COM. CR. LANDS PRICE said--We understand the meaning of alternative.⁵⁴

MR. H. SHERWOOD said--If you understand it, then carry it out. He asked if they would be carrying out the principle of alternative parliaments by taking the seat of Government to Quebec for four years, when it had been in Toronto only two.⁵⁵ If it were to remain at Quebec four years, Lower Canada would have the advantage of its presence ten years, while U.C. would have had it but two.⁵⁶ He would not say one word if the government would rise and state that they only meant the removal for two years.⁵⁷ If it be now removed, the people of Toronto would submit without a murmur, although not without regret; but if it remain away four years, he thought that dissatisfaction would naturally be created here, and indeed throughout U. Canada.⁵⁸ Whatever might have been the private understanding of the ministry there was no doubt about the meaning of the resolutions or the intentions when they were passed. He felt that taking the government to Quebec for four years would be doing Upper Canada, and its constituents, an act of injustice.⁵⁹

MR. AT. GEN. LAFONTAINE contended that the understanding at Montreal, in 1849, was, that the Seat of Government would remain only two years at Toronto, and that all arrangements had been predicated on that understanding.⁶⁰ [He] asked what was the meaning of a period not exceeding four years?⁶¹

MR. H. SHERWOOD--Alternate periods.⁶²

MR. AT. GEN. LAFONTAINE proceeded to refer at some length to Lord Sydenham, [and] the taking of the seat of Government to Kingston, with a view of accusing the hon. member for Toronto of inconsistency in 1841. He contended that the term "not exceeding four years" meant two or three years, or three months. The understanding was that the parliament should come up here for two years to the end of this parliament.⁶³

MR. H. SHERWOOD denied [this].⁶⁴

But MR. AT. GEN. LAFONTAINE asserted that such was the case, and⁶⁵ one fact of which the hon. member for Toronto could not be ignorant, was, that the house which he [Mr. S.] occupied at that time was taken for only two years, as the residence of the Governor General⁶⁶, yet he had bade no remonstrance nor protest, and this proved that he understood that the parliament should be here two years. Would the hon. member explain the meaning of the words in periods not less than four years? The fact was, as the hon. member alleged, that the hon. member for North York would fix no precise period because of his respect for the prerogative; but would it not be to limit the prerogative if it were now determined

that the Parliament must be invariably called in different sections of the Province, precisely at periods of four years duration.⁶⁷

MR. H. SHERWOOD explained, but merely repeated his former observations, that the periods in holding the Parliament should be equal in each part of the Parliament. Unless the periods were of equal length they would not be alternate Parliaments.⁶⁸ He was proceeding with some remarks in explanation of personal allusions by the last speaker, when it was objected that he had already spoken⁶⁹ [and] the half hour rule was brought to the notice of the Speaker.⁷⁰

MR. AT. GEN. BALDWIN moved that the member for Toronto be allowed to proceed with his explanation⁷¹.

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And Mr. Speaker having acquainted the House, that the Honorable Mr. Sherwood had spoken to the Question for half an hour, the time to which each Member is restricted by the Order of the House of the 16th of July instant;

The Honorable Mr. Baldwin moved, seconded by the Honorable Mr. Cameron of Cornwall, and the Question being put, That the Honorable Member be further heard on the Question; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cameron of KENT, Christie, Solicitor General Drummond, Flint, Fournier, Fourquin, Gugy, Hall, Hincks, Holmes, Hopkins, Attorney General LaFontaine, Laurin, Letellier, Mackenzie, Malloch, McConnell, McLean, Prince, Robinson, Sherwood of BROCKVILLE, Smith of WENTWORTH, Stevenson, and Viger.--(30.)

NAYS.

Messieurs Armstrong, Chabot, Chauveau, Davignon, Dumas, Fortier, Guillet, Jabin, Lacoste, LaTerrière, Lemieux, Mongenais, Nelson, Polette, Scott of BYTOWN, and Scott of TWO MOUNTAINS.--(16.)

So it was resolved in the Affirmative.

The Honorable Mr. Sherwood then again spoke to the question.

MR. H. SHERWOOD then⁷² went on to explain his conduct on the Union Act, and afterwards relative to the place to be chosen for the seat of government in 1841, contending that he had been uniformly of the same opinion.⁷³ In reference to the present residence of the Governor General, he (Mr. S.) explained that he occupied Elmsley house as a tenant at £75 a year, on a lease which expired nine months after the Governor General came here. He (Mr. S.) surrendered the house⁷⁴ thus leaving large premises⁷⁵ without personal consideration, and at great sacrifice, as he was compelled to take a much smaller house⁷⁶ for which he had to pay £130 per annum⁷⁷, nearly double the rent.⁷⁸

MR. M. CAMERON had been very anxious for the union, though he cared nothing at the time for the seat of Parliament. But he found the seat of Government⁷⁹ for United Canada,⁸⁰ fixed at Kingston, and was of opinion that⁸¹ Kingston was the proper⁸² [and] best place for it. He therefore, opposed the change to alternate Parliaments and to Montreal. The seat of Government was, however removed,⁸³ in 1849,⁸⁴ and he was satisfied with that. But circumstances arose to prevent the seat of government from remaining there. He then desired that it should come to Upper Canada, for the sake of continuing the union of the Provinces and the connection with the mother country, and he then strove to obtain the consent of his Lower Canadian colleagues to go to Upper Canada for two years, and return to Lower Canada for four years. That they consented to, and⁸⁵ he knew that so far as he was concerned, the understanding was that the seat of government would remain at Toronto two years and then be taken to Quebec for four years; and he believed that this idea was also entertained by many of his colleagues.⁸⁶

It was unjust on the part of the Attorney General to impute to Mr. H. Sherwood that he received a benefit from the removal. On the contrary.⁸⁷ He [Mr. Cameron] came here as Commissioner of Public Works, to make arrangements for the Governor General's residence and other things, and bore testimony to the readiness of the senior member for Toronto to surrender the house he occupied, greatly to his own loss in respect of money and comfort.⁸⁸ It was a great ... inconvenience⁸⁹.

MR. AT. GEN. BALDWIN said his ideas had always been in favor of⁹⁰ the system of alternate parliaments, which was essential to the satisfactory working of the Union⁹¹ and therefore, took occasion of the occurrence in Montreal to give effect to the proposition. He declared that⁹² it was clear that the course adopted by the Government was the only one that could be taken under the circumstances⁹³. [It] was the only means by which the form for alternative Parliament could be carried out⁹⁴ and any interference with that arrangement would be a great breach of faith. He was as desirous as any honourable member could be to have the seat of Government at Toronto, but the faith of the Government was pledged to fix the seat of Government for two years only in Toronto, and four years in Quebec; and they could not, without violating that faith, consent to remain here longer than two years.⁹⁵ [He] put it to the hon. member whether he would not rather it should be carried out in that way, then not be carried out at all?⁹⁶

MR. CAYLEY considered that what view the Government took of the question was not the point. It was what view the Parliament took of it.⁹⁷ [He] contended that any understanding in Parliament did not alter the plain construction of the vote; and, to show that that vote contemplated Parliament's sitting for alternate periods of equal length, he read from the answer of the Governor General to the Grand Jury of Toronto, on first coming to that city. The question further was this--What was Justice to the two sections of the Province?⁹⁸ It was the understanding of Parliament that equal justice was to be done to Upper and Lower Canada: now he could not see how equal justice could be done unless the seat of Government would remain an equal number of years in each place.⁹⁹ It certainly was not Justice to give Upper Canada two years, and Lower Canada four years. His hon. friend the member for North York indeed had a moment before told the House that if equal justice to Upper Canada had been insisted upon, the arrangement could not have been carried out at all. That was just what the Globe had told them two days ago, that no justice could be had for Upper Canada.¹⁰⁰ It was evident that ministers in making that arrangement had been unfaithful to the trust reposed in them.¹⁰¹

MR. INSP. GEN. HINCKS said the Government were prepared to take the responsibility before the country. The honourable gentleman cannot shew that there was any resolution stating that it was the intention of the Government that the Parliament should be held four years alternately in each place.¹⁰²

MR. CAYLEY--I did not say so: I said for equal periods.¹⁰³

MR. INSP. GEN. HINCKS spoke from report, but he would say that there was a general understanding that the place to which Government was first removed to, should only have it for two years.¹⁰⁴

MR. W. BOULTON--There was no such understanding.¹⁰⁵

MR. INSP. GEN. HINCKS said the hon. member may say so, but it was an understanding among members of Government. Hon. gentlemen speak of injustice to Upper Canada; but how can they say so, when Upper Canada had no right to the seat of Government at all?¹⁰⁶

MR. H. BOULTON--They had it six years in Lower Canada.¹⁰⁷

MR. INSP. GEN. HINCKS--It was¹⁰⁸ well known that Montreal had been selected for the permanent Seat of Government.¹⁰⁹

A voice,--Kingston.¹¹⁰

MR. INSP. GEN. HINCKS continued--The fact was¹¹¹ there was no question of alternate parliaments at all; therefore, Upper Canada had no right whatever over Lower Canada, to have the seat of Government brought here. There was a great anxiety that it should be removed here; and the members for Lower Canada were most anxious that it should be first removed to Quebec.¹¹²

MR. H. BOULTON--No doubt of that.¹¹³

MR. INSP. GEN. HINCKS--They certainly had as good a right to take it there; but the members from Quebec were willing that it should be taken to Toronto first; and there was an understanding that it should remain here only for two years.¹¹⁴

MR. H. BOULTON--How do we know that?¹¹⁵ There was no such understanding by us then--why say so?¹¹⁶

MR. INSP. GEN. HINCKS--Who would dare to deny it?¹¹⁷

MR. H. BOULTON--I deny it.¹¹⁸

MR. INSP. GEN. HINCKS, (very vehemently,) if the hon. gentleman says so, he says what is false.¹¹⁹

Loud cries of order¹²⁰ [and] of that's ministerialism.¹²¹

MR. H. BOULTON called the hon. member to order, and called upon the Speaker to make him sit down.¹²²

MR. MORIN the SPEAKER declared that the hon. Inspector General was decidedly out of order.¹²³

MR. H. BOULTON--That's Ministerial.¹²⁴

MR. MORIN the SPEAKER,--Let the hon. member for Norfolk sit down.¹²⁵

MR. INSP. GEN. HINCKS--Sit down.¹²⁶

MR. H. BOULTON,--Now I hope the hon. member will proceed in a parliamentary manner. He can go on again.¹²⁷

MR. AT. GEN. BALDWIN declared the hon. member for Norfolk had been also out of order.¹²⁸

MR. INSP. GEN. HINCKS again rose and¹²⁹ admitted that in the heat of the debate he had used an unparliamentary expression; but it was under great provocation, as the hon. member for Norfolk had ventured to deny an understanding among the ministry, of which he could know nothing.¹³⁰ He should have said the understanding was amongst his own colleagues. (Hear, hear, and order.)¹³¹ He [Mr. H.] however, as he always was, was ready to withdraw a word improperly used in haste.¹³² (Hear, hear.)¹³³

MR. H. BOULTON had certainly not intended to contradict the hon. member rudely; and if the hon. gentleman spoke of an understanding with his colleagues of the ministry, of course he (Mr. Boulton)¹³⁴ could have no knowledge [of it] at all¹³⁵ [and he] had put himself in the wrong by denying it.¹³⁶

MR. INSP. GEN. HINCKS said that his colleagues from Lower Canada were perfectly willing that Government should be removed to Quebec, there to remain for two years only. That was the first determination, and that after it remained two years in one place, it should then alternate four years. That being the case, they were

most ready and anxious to take it to Quebec for the first two years; but it was a concession to us to get it to Upper Canada, and, therefore, he would say that they were not acting upon an arrangement that was considered most satisfactory to Upper Canada. He was quite aware of the impression created on the public mind, that if once we get the Government to Toronto they would never let it go away again. He had been told ... fifty times in the streets of this city at the time the arrangements [sic] were making [sic], that it was evident the people of Upper Canada who were opposed to the removal had no intention of carrying out the principle of alternating Parliaments. He had great doubts as to whether their desire to have it [an]other two years, was not that something might turn up,--some new scheme which would keep it here altogether. Who were those most clamorous against the removal?--It is the constitution mongers--the two hon. members for the city of Toronto and the hon. member for Norfolk. These three hon. gentlemen who are most prominent in advocating organic changes, and federal unions, and all manner of political changes, and they probably trust some turn will come up--some happy scheme by which Government will be continued here. He thought there was but one way of carrying out the pledge given by the Government, and that was by supporting them at the present time, and he believed that already a great deal of the objection to the removal had been obviated. As to talking of expense it is perfectly absurd. It was all the same as regards expense whether the Government remained here [an]other two years and went at the end of that time, or went at the close of this session, and after all as he had shown in the debate on the supplies, if the scheme is a good one, the expense will be of little importance.¹³⁷

DR. BOUTHILLIER said that it was well understood that the first removal was to last only for two years.¹³⁸

MR. ARMSTRONG coincided in this opinion, and stated that it was a concession to Upper Canada that the first removal should be to Toronto.¹³⁹

MR. ROBINSON considered it a very unjust step, and one having a tendency to break up the union. As to expense, he could say with the hon. Inspector General, it would be perfectly absurd. It surely was the most expensive idea that could be entertained by any Government, and the matter should be left in abeyance to be determined at the next election.¹⁴⁰

MR. H. BOULTON replied at some length¹⁴¹ on the whole debate, ... taunting the hon. Inspector General with being always ready, with or without reason, to defend Lower Canada against Upper Canada.¹⁴² He endeavored to show that the hon. Attorney [sic] General East had argued beside the question, because the honorable member had not met the argument that the fair and legal interpretation of alternating Parliament implied an equal duration of time; for without that equality there could not be alternation, and no honorable member had given one solitary, satisfactory, statesmanlike reason, for making the arrangement that had been entered into. He knew of nothing that could induce the Inspector General to talk of him and the honorable member for Toronto and his honorable relative as constitution mongers, unless it was that they came forward with constitutional resolutions for drawing the teeth of these honorable gentlemen opposite that are so sharply set for corruption.¹⁴³

MR. MACKENZIE spoke at some length against the removal¹⁴⁴. [He] began by comparing Mr. Lafontaine to Orator Puff, as he sometimes proved the advantage of one city when it was desirable to go to that place, and the advantage of another when it was wanted to go to another. It was in this way that gradually the seat of government would go round to every place in the Province. He then¹⁴⁵ quoted from the journals of the House, of March, 1843¹⁴⁶, [and] read the report on the seat of government, in 1843 which was agreed in by Messrs. Lafontaine and Morin, in which

Quebec was condemned as a most unfit place for the seat of Government, the condemnation being accompanied by the strongest reasons for that opinion. Now these same gentlemen said that Quebec was the best place in the world. Then, again, it had once been said by the honorable member for Montreal, that Montreal or Quebec were the only places where the Parliament could meet on a footing of perfect equality. The perfect equality, with the eggs, &c., which was obtained in Montreal, was fresh in the recollection of all.¹⁴⁷ He then contrasted the course pursued in the United States, where in all cases the most central spot was chosen, whether it was the most important or the most populous or not¹⁴⁸. Now Quebec was more distant than Washington; and when there, there were 1,400,000 people above, and only 100,000 below them. Was there anything central; anything convenient in that? Certainly not. There might be something to be said for Montreal; but Toronto was far more central than Quebec, and so was Bytown. (Cries of question.) Well, the question would long ago have been taken up, but for the previous question. He then went on to read from the report of 1843, a statement that it was most desirable, to avoid loss to property holders by fixing some permanent place for the meeting of Parliament; and asked why that was not done? The money spent in these removals would build a railway, and that would enable Upper and Lower Canadians [*sic*] to see each other in a manner far superior to alternate Parliaments. Upper Canada, since the Union, had had the seat of government only four years, Lower Canada six years; and now it was to go back to Lower Canada, by way of showing Lower Canadian generosity, although the Attorney General had declared that Quebec was the worst place in the Province. He then read from Earl Grey's despatch to Lord Elgin, directing him in answer to his request, to call the next parliament in Toronto. That was clearly not what was proposed now. He then continued, by reading a petition from the Constitutional Association of Lower Canada, praying for the union of the Province, for the sake of angliciation of the Province of Lower Canada. Now that Province was anglicified. Then, he prayed in the name of the hon. Attorney General, and his report, that the House might not be sent down to Quebec.¹⁴⁹ He looked upon the present step as an effectual means of discontent and disaster to the country.¹⁵⁰

MR. H. BOULTON moved in amendment his resolutions, which were got rid of on a previous day, by moving the previous question, the question being put on the amendment, the House divided.¹⁵¹

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Hopkins, Malloch, McLean, Prince, and Sherwood of TORONTO.--(6.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of KENT, Cartier, Cauchon, Chabot, Chauveau, Christie, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Gagy, Guillet, Hall, Hincks, Holmes, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McFarland, Méthot, Mongenais, Nelson, Notman, Polette, Price, Robinson, Ross, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, Taché, Viger, Watts, and Wilson.--(51.)

So it passed in the Negative.¹⁵²

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Cayley, Hopkins, Mackenzie,

Malloch, McLean, Prince, Robinson, Sherwood of TORONTO, Smith of DURHAM, and Stevenson.--(12).

NAYS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of KENT, Cartier, Cauchon, Chabot, Chauveau, Christie, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Guay, Guillet, Hall, Hincks, Holmes, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, McFarland, Méthot, Mongenais, Nelson, Notman, Polette, Price, Ross, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, Viger, Watts, and Wilson.--(48.)

So it passed in the Negative.

Gauge for
Railroads.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 23d July, 1851, for all information in the possession of the Government in reference to the proper Gauge to be adopted for Railroads to be constructed in this Province, as well as the copies of all Proceedings and Orders in Council relating to the same.

Appendix (D.D.D.)

For the said Return, see Appendix (D.D.D.).

Ordered, That the said Return be printed for the use of the Members of this House.

Education
Report (U.C.).

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,--The annual Report of the Normal, Model, and Common Schools in Upper Canada, for the year 1850, by the Chief Superintendent of Schools.

Appendix (K.K.K.).

For the said Report, see Appendix (K.K.K.).

Ordered, That the said Report be printed, in pamphlet form, under the superintendence of the Standing Committee on Printing; and that a sufficient number of additional copies thereof be also printed, so as to furnish a copy to each Municipal Council, Local Superintendent, Board of Public Instruction, and School Corporation, in Upper Canada.

Answer to
an Address.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, reported to the House, That their Address of the 11th July instant, (that His Excellency the Governor General would appoint a Commission for revising the Statutes and Ordinances of Lower Canada, and the Statutes of Upper Canada, and of the Province of Canada, and for consolidating such of them as relate to the same subject, as can be advantageously consolidated, and also to collect and arrange for publication with the revised Edition of the Provincial Statutes, such Acts and parts of Acts of the Imperial Parliament as refer to this Province, or either section thereof,) had been presented to His Excellency; and that His Excellency had commanded him to acquaint this House, that he will give the necessary instructions accordingly.

Answers to
Addresses.

The Honorable Mr. Hincks also reported to the House, That their Addresses of the 23d July instant, (that the

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Papers therein respectively mentioned might be laid before this House,) had been presented to His Excellency the Governor General; and that His Excellency had commanded him to acquaint this House that he would give directions accordingly.

Navigation of
the River St.
Lawrence.

The Honorable Mr. Robinson moved, seconded by the Honorable Mr. Cayley, and the Question being proposed, That this House do now resolve itself into a Committee, to take into consideration the propriety of opening the navigation of the River St. Lawrence to the Vessels of all Nations;

And a Debate arising thereupon;

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being proposed, That the Debate be adjourned until tomorrow;¹⁵³

MR. ROBINSON expressed his surprise at the motion of the hon. member, for that gentleman had been one of the first to move in the business by moving an address to the Imperial government praying for permission to open the river. He also read¹⁵⁴ various extracts from a Report of the Quebec Board of Trade,¹⁵⁵ in favour of opening this route, and also letters¹⁵⁶ and ... other documents,¹⁵⁷ from gentlemen in the United States and Montreal¹⁵⁸ to show a general demand existing for the adoption of this proposition.¹⁵⁹ If then the Inspector General would say that he did not desire to make this change lest it should hinder his chances of reciprocity, he would forbear; but he believed the hon. member would admit that he had no farther hope of that.¹⁶⁰ He urged on the Government not to resist the motion, but to give it their full consideration.¹⁶¹ He proceeded to read other letters from Montreal, complaining that the moment the price of flour had increased, freights went up so fast as to prevent anything from being done by the merchants. The writer said he could do plenty of business if freights were cheaper, and also mentioned that an offer had been made to take flour across to Boston by railroad, and ship it there at less freights than from Montreal.¹⁶² He did not believe that until the St. Lawrence was thrown open, we would ever receive the benefit of the very large sums of money, which had been expended in the construction of canals.¹⁶³

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Mr. Boulton of Toronto¹⁶⁴ moved in amendment to the Question, seconded by the Honorable Mr. Robinson, That the words "and be then the first Order of the day" be added at the end thereof;

COL. PRINCE would not vote for its being placed the first item on the orders of the day for the morrow, nor yet for its being gone into that evening.¹⁶⁵

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And the Question being put, That those words be there added; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Cayley, Macdonald of KINGSTON, Malloch, Robinson, and Sherwood of BROCKVILLE.--(6.)

NAYS.

Messieurs Bouthillier, Cartier, Chabot, Davignon, Solicitor General Drummond, Duchesnay, Fournier, Gugy, Hincks, Holmes, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Mackenzie, Mongenais, Morrison, Notman, Polette, Price, Prince, Scott of BYTOWN, Scott of TWO MOUNTAINS, Taché, Viger, and Wilson.--(26.)

So it passed in the Negative.

MR. INSP. GEN. HINCKS explained the course the Government meant to take on this question. There was no difference of opinions in that House that the opening of the St. Lawrence would be a great boon; but at the same time, he was not prepared to grant the Americans what they look upon as the most valuable concession that could be made by this country.¹⁶⁶

DR. DAVIGNON then moved in amendment to the ... Mr. Hincks' motion, that the further consideration of the main motion be postponed till this day six months.¹⁶⁷

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And the Question being again proposed, That the Debate be adjourned until to-morrow;

Mr. Davignon moved in amendment to the Question, seconded by Mr. Mongenais, That the word "to-morrow" be left out, and the words "this day six months" added instead thereof;

MR. INSP. GEN. HINCKS asked if the hon. member for Simcoe meant to make a long speech tomorrow, if so he would vote for the amendment.¹⁶⁸

MR. G. SHERWOOD held that this was treating the hon. member for Simcoe with discourtesy.¹⁶⁹

MR. INSP. GEN. HINCKS denied this, and charged the hon. member for Simcoe with discourtesy. This was a government night, and there was an objection to postpone the debate a few hours ago, but there was none now. What he had to say he would say in a few minutes, and would take the sense of the House at once. He was in favor of throwing open the St. Lawrence to the Americans; but not without receiving something for it. This was the only valuable thing we had to give to the Americans for Reciprocity and negotiations were now pending, and the whole matter was in the hands of the British minister at Washington. This discussion was got up for the purpose of injuring the government and the country, but not he believed with such intentions by the member for Simcoe.¹⁷⁰

COL. PRINCE said that he would¹⁷¹ vote at once for giving the motion of the member for Simcoe a six month's hoist¹⁷² as it was vulgarly called, for the simple reason that the honorable Inspector General had stated that negotiations for reciprocity were now pending.¹⁷³ Let the Americans meet us half way. If, as stated by the member for Simcoe, the Americans were so anxious for the Navigation of the St. Lawrence, let them give some reasonable compensation in return.¹⁷⁴

MR. W. BOULTON supported the opening the St. Lawrence¹⁷⁵ [and] spoke in favour of the original motion. He did not believe the United States would grant us reciprocity on such terms as Government offered; and we ourselves were the sufferers, so long as the Navigation of the St. Lawrence was closed against foreign vessels.¹⁷⁶

MR. ROBINSON read from some statements formerly made by hon. Mr. Hincks in favor of the view he (Mr. R.) now took; and went on to contend that the hope of getting this reciprocity was a delusion.¹⁷⁷

MR. G. SHERWOOD referred to his own former sentiments to the effect that¹⁷⁸ [he] did not believe there was any prospect of that reciprocal arrangement which the Inspector General in the early part of the session had alluded to was on foot and with every chance of success. Since that time, he had consulted the leading journals of the United States which were held to express the general opinions of the people, and¹⁷⁹ [he] repeated what he had formerly said, that the United States would not grant reciprocity unless they could have reciprocity in other articles, besides those proposed in the act passed by the Canadian Parliament. He supported this opinion from statements in leading Whig papers. After enlarging on the advantages of the opening the St. Lawrence, and the efforts that had been made to gain reciprocity, he held that it was a farce to go on and let the Session pass without taking some steps, while trade which should pass through our waters was diverted into other channels.¹⁸⁰ There could be no doubt as to the propriety of opening the St. Lawrence to all nations, and as little, of the soundness of the policy of affording encouragement to the Americans and others to navigate from the Atlantic to Lake Erie. It would be much better to do this, than to wait upon reciprocity, important as the latter was; and he therefore gave his cordial support to the original proposition.¹⁸¹

MR. H. BOULTON was at a loss to understand how mere resolutions of this House

could effect the desired object--the free navigation of the St. Lawrence. What law was there at present to prevent this?¹⁸²

MR. INSP. GEN. HINCKS said, show the law that gave the Americans this right.¹⁸³

MR. H. BOULTON.--It was for the Government to show the law that prohibited it. The Americans had a perfect right to go through the St. Lawrence in time of peace; and he desired the Attorney General to show the common or statute law which would prevent this.¹⁸⁴

MR. INSP. GEN. HINCKS, have English vessels a right to go through the Mississippi?¹⁸⁵

MR. H. BOULTON said there was no analogy between the two cases, because the Americans had passed acts to prevent such navigation.¹⁸⁶

MR. AT. GEN. LAFONTAINE was nearly inaudible, but he was understood to say, that he would at any time undertake to refute¹⁸⁷ the hon. member for Norfolk's¹⁸⁸ argument. It would require forty-eight hours to refer to authorities. The law of nations was, that a country had the possession of the sea flowing past its course, to the distance of a cannon shot; and if that was the case, much more¹⁸⁹ certain was it that a country was proprietor of waters flowing through its territory.¹⁹⁰

MR. CHABOT (in French)¹⁹¹ was favourable to the postponement till to-morrow, that members might mature their opinions upon the subject. He was disposed to concede the free navigation of the St. Lawrence, and believed that it was competent to the Parliament to legislate in the matter¹⁹² but he would not then say if he would vote for the resolutions.¹⁹³

MR. CHRISTIE asked if the subject was under the consideration of the Government?¹⁹⁴

MR. INSP. GEN. HINCKS said it was, and the matter was¹⁹⁵ altogether in the hands of Her Majesty's minister at Washington¹⁹⁶ who was conducting the negotiations with as much energy as possible.¹⁹⁷ The last advices thence were highly satisfactory.¹⁹⁸ He censured Mr. H. Sherwood for stating that he was sure that Reciprocity could never be obtained. That hon. member knew no more of the subject than that ink-stand. He could not have any information upon it.¹⁹⁹ Very strong influences were being brought to bear upon the American Government, in favour of reciprocity; and it would be most injudicious to act in this matter until decisive information were received.²⁰⁰

MR. H. SHERWOOD [OR] MR. W. BOULTON [OR] MR. H. BOULTON²⁰¹ rose, and was met with²⁰² loud²⁰³ cries of "spoken"²⁰⁴. [He then] sat down.²⁰⁵

MR. CAUCHON said, it was quite plain--and the public would be aware of the fact, --that certain members resident in Toronto speak from day to day for the sole purpose of prolonging discussion, and thereby getting more money out of the country.²⁰⁶

Confusion ... [and] loud cries²⁰⁷ of "It's true" and "order"²⁰⁸ arose from all parts of the House.²⁰⁹

MR. H. BOULTON said it was contrary to parliamentary rule to impute such a motive to any members²¹⁰ such an imputation as that just made by Mr. Cauchon, should not pass without notice.²¹¹ (Cries of "It's a fact".)²¹²

MR. CAUCHON repeated his remark, and insisted on the necessity of members curtailing their speeches, in order that the session might be brought to a close as speedily as possible.²¹³

MR. CHAUVEAU supported Mr. Hincks's amendment.²¹⁴

MR. J. CAMERON protested against the insinuation that hon. members resident in this city, prolonged discussion, to add to their wages as members.²¹⁵ Such an imputation as that just made by Mr. Cauchon, should not pass without notice.²¹⁶

MR. CAUCHON said he attacked no member individually. He²¹⁷ denied that he meant it was merely for the sake of members' wages, but for the expenditure in the city, that the members who resided in this city desired that the Parliamentary session should be prolonged.²¹⁸

MR. J. CAMERON considered this still worse. He went on to say that another statement of the same hon. member should have been taken up before this time²¹⁹. In a former debate the hon. member for Montmorency asserted that gentlemen--members resident in this city,--had received as indemnity for wages, sums to which they were not entitled. ("Not as wages")²²⁰.

He was proceeding when²²¹ he [Mr. C.] was called to order by MR. MORIN the SPEAKER, who said that matter could not then be entered into²²² [as] this allusion to a former debate was irregular.²²³

MR. HOLMES said the question before the house was of paramount importance to the country, and thought the six month's amendment most uncourteous²²⁴ but as the Government said it was under their consideration, in connection with the subject of reciprocity, he would vote for the adjournment which the Inspector General had moved.²²⁵ There was much force in what had fallen from the Inspector General [and] he thought the question should be postponed.²²⁶

A wrangling and disorderly discussion ensued²²⁷ [during which there were] some incidental remarks²²⁸ on wasting time and the right the members had to speak²²⁹.

DR. DAVIGNON said, if it were the wish of hon. members, he would withdraw his amendment, "for the 6 months' hoist".²³⁰

MR. INSP. GEN. HINCKS said he would also withdraw his amendment, which was moved with a desire to reserve the night for Government business. The amendment had been of no avail--the night had now been consumed--and, therefore, it would be well to have a decision on the subject without further delay.²³¹

MR. H. BOULTON asserted his right, and²³² made some remarks, in the course of which he averred that the city profited little by the expenditure of the member for Montmorency.²³³

MR. CAUCHON said he spent only his own money.²³⁴

MR. SOL. GEN. MACDONALD said that hon. members resident in Toronto must not be surprised if the purity of their motives in talking continually were misunderstood and misrepresented. These everlasting debates on all kinds of subjects--with no possibility of any useful result--were most wearisome and most obnoxious to the country.²³⁵

MR. MACKENZIE said he was anxious to be off electioneering, and, therefore, desirous of seeing the session brought to a close. This could not be done until some check were put upon motion, and he suggested that only an hour a-day should be given to the consideration of them.²³⁶

MR. CAMERON said that of the 30 notices for to-day, 6 belonged to the hon. member for Haldimand. (Laughter)²³⁷.

DR. DAVIGNON applied for leave to withdraw his amendment, but leave was refused.²³⁸

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And the Question being put on the Amendment; the House divided; and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Davignon, Fortier, Mongenais, Nelson, Scott of BYTOWN, Scott of TWO MOUNTAINS, and Watts.--(7.)

NAYS.

Messieurs Armstrong, Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Duchesnay, Dumas, Flint, Fournier, Fourquin, Gagy, Guillet, Hincks, Holmes, Hopkins, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Malloch, McConnell, McFarland, McLean, Méthot, Polette, Price, Prince, Robinson, Sanborn, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, Taché, and Wilson.--(46.)

So it passed in the Negative.

Then the Motion, That the Debate be adjourned until to-morrow, was, with leave of the House, withdrawn.

And the Question being again proposed, That this House do now resolve itself into a Committee, to take into consideration the propriety of opening the navigation of the River St. Lawrence to the Vessels of all Nations;

MR. INSP. GEN. HINCKS moved the previous question to the main motion, which was negatived by a large majority, [the Inspector General] and the Ministry voting with the yeas. Mr. Hincks observed the obvious policy of the house was to avoid coming to any division.²³⁹

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And the Previous Question being put, That that Question be now put, the House divided:--And it passed in the Negative.

Lights and
Light Houses.

The Honorable Mr. Hincks²⁴⁰ moved, seconded by the Honorable Mr. Attorney General LaFontaine, That this House will immediately resolve itself into a Committee, to consider the expediency of repealing the several enactments imposing Tonnage Dues for the maintaining of Lights and Light Houses in this Province, and providing for the expense of maintaining such Lights and Light Houses out of the Consolidated Revenue Fund;

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject matter of this Motion, recommends it to the consideration of this House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Mackenzie took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Mackenzie reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

Duty on
Bank Notes.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Attorney General LaFontaine, That this House will immediately resolve itself into a Committee, to consider the expediency of relieving the several Chartered Banks from the Duty imposed on their circulation by the Act 4 & 5 Vic. cap. 29, on certain conditions calculated to assimilate the provisions under which they issue Bank Notes for circulation more nearly to those of the General Banking Law, and to facilitate the negotiation of the Debentures to be issued by the Province, or for effecting or contributing towards effecting Public Improvements;

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject matter of this Motion, recommends it to the consideration of this House.²⁴¹

Some ... discussion [ensued].²⁴²

MR. MACKENZIE said, the Banks were rich enough to bear their fair share of taxation. Their profits were very large, and that circumstance presented no reason for affording them particular accommodation.²⁴³ [He] could not understand why the tax should be taken off those Institutions. The object, as he understood, was to relieve the banks, in order to induce them to take the Provincial debentures, but the debentures were not now a drug, and therefore there was no necessity to offer any fresh inducement.²⁴⁴ Instead of reducing Bankers' taxes, let the taxes or [sic] articles consumed by the mass of the people be reduced as much as possible.²⁴⁵

MR. INSP. GEN. HINCKS said the tax was always looked upon as an exceptionable and improper one, placed on the Banks at a particular time for a particular object. As the tax could now be dispensed with, it was desirable to take it off.²⁴⁶

MR. MACKENZIE thought if any tax could be taken off, it should be taken off tea or sugar.²⁴⁷

COL. PRINCE was favorable to the remission of taxation proposed by the Inspector General, as it pressed heavily on holders of bank stock, whose profits were not so excessive as they had been represented to be. The tax was originally imposed as a matter of expediency, and the occasion for it no longer existed.²⁴⁸

MR. W. BOULTON doubted whether this was a fitting time for the step proposed.²⁴⁹ [He] thought the existing banks should be compelled to come into the new banking law, by keeping the tax on until they did so.²⁵⁰

After a few words in a very low tone from MR. STEVENSON,²⁵¹ (which were inaudible), the resolution was agreed to without a division.²⁵²

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Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Cameron of Cornwall took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Cameron of Cornwall reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

*Craig's Road
(St. Nicolas.).*

*Ordered, That the Return relative to that part of the
Craig's Road which passes through the Parish of St.
Nicolas, presented this day, be printed for the use*

of the Members of this House.

Census Bill.

*The Order of the day for the second reading of the
Bill to provide more effectually for taking the periodical
Census of this Province, being read;*

*The Bill was accordingly read a second time; and committed to a Committee of
the whole House, for Friday next.*

*Bill relative to
the Election of
Members in Cer-
tain Townships.*

*The Order of the day for the second reading of the
Bill to fix the place for holding the Polls for the Elec-
tion of Members of Parliament in Townships divided into
Wards, in Upper Canada, being read;*

*The Bill was accordingly read a second time; and com-
mitted to a Committee of the whole House, for Friday next.*

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Supply.

The Order of the day for the House in Committee of

Supply, being read;

The House accordingly resolved itself into the said Committee.

Mr. Johnson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Johnson reported, That the Committee had come to several Resolutions.

Ordered, That the Report be received on Friday next.

Mr. Johnson also reported, That he was directed by the Committee to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Laurin,
The House adjourned.

APPENDIX: 30 JULY 1851.

[NOTICE OF MOTION RE: ORDERS OF THE DAY.]

COL. PRINCE gave notice of a motion, to take the orders of the day for the future, during the present session, before notices of motion.²⁵³

[WITHDRAWN MOTION RE: CROWN LANDS.]²⁵⁴

MR. LYON moved the appointment of a Committee to enquire into the state and management of the Office of Commissioner of Crown Lands, the rules of the said Office relating to Locations and the granting of Patents thereon and forfeiture thereof, and generally with respect to all matters coming within the management of the said Office, with power to send for persons and ... papers, and to report from time to time.²⁵⁵ He opposed the system of having district land agents; and contended the locators are often subject to great hardships in enforcing their claims on the department.²⁵⁶ The hon. member remarked on the unpopularity which the office of Commissioner of Crown Lands brought upon any gentleman who happened to fill it, because his duty almost daily compelled him to appear as the judge of the claims of land settlers and other[s]. The fact that his duties were frequently, and almost necessarily, unpopular should furnish him with motives to act consistently and discreetly, and with a due regard to the wants of the locatees. He did not blame the Commissioner himself, whose avocations as a member of the Executive, and of the House, were exceedingly onerous, but he was to a great extent responsible for the proceedings of the subordinates, and should therefore take care that their conduct in regard to claims was governed by fixed principles, and especially by a desire to facilitate the claims of bona fide settlers, who were often unacquainted with the forms of proceedings in the office. The hon. member went on to state a number of cases, which had occurred in the district with which he was connected--cases in which great hardships had been experienced, and which had been governed, apparently, by no other principle than that of endeavouring to defend all claims. He cast all sins of this nature upon the head of Mr. Spragge, the principal clerk of the department, who had acted as though under the impression that his duty to the government placed him in antagonism to the interest of the public. Another feature which required investigation was the system of appointing district land agents which entailed heavy expenses upon country, without any advantage whatsoever. Reviewing these and a multitude of similar circumstances, the hon. member maintained that ample reasons existed for the enquiry for which he moved.²⁵⁷

MR. MALLOCH seconded the motion, in order that the fastest investigation might take place into the cases which had been alluded to, although of his own knowledge was aware that, at least in one of these cases no ground of complaint existed.²⁵⁸

MR. COM. CR. LANDS PRICE declared that since his advent to office, he had carefully avoided everything that could be made to wear the aspect of personal or political partiality. He had uniformly endeavored to do justice to those who had had business with his department and believed that his clerks had acted similarly. He was aware that Mr. Spragge was not popular, but, with all his faults, he was a most efficient and most excellent clerk: his unpopularity arose from the fact that he believed it was his duty to protect the interests of the crown against individual claimants. The rule which he (Mr. P.) had laid down for himself, and which he had enforced in his department, was, to examine every case that came before him, to the fullest extent possible; and while there could be no doubt that fraud had been committed in some instances, and that hardship had resulted in others, he was confident that none of these could be attributed to the inefficiency or the personal predilections of any officer in the department. Within the last 9 months, not less than 2000 claims had been investigated; and bearing in mind that they had pro-

ceeded from all sections of the Province, and that imposition in all forms had been attempted, it was not unlikely that mistakes had arisen. In conclusion he (Mr. P.) said that if any member would lay a charge against any clerk in his department, he would represent it to the government, and if found true, would seek his dismissal. But he felt bound to oppose the motion, which was tantamount to a vote of want of confidence in his department.²⁵⁹

MR. MALLOCH said he would name a circumstance which would rebut the remarks of the Commissioner of Crown Lands, as to the impartiality of himself and the government. The circumstance was this--that when he (Mr. M.) was urging a claim of his own, a member of the government, in the presence of the Commissioner of Crown Lands, said, "You are not on the right side to expect justice." (Laughter).²⁶⁰

MR. COM. CR. LANDS PRICE said the hon. member's claim was before the late Government who rejected it, although he was then "on the right side". The expression he alluded to, was made jocosely by the hon. member for Kent, at Montreal. It was used in a joke and it was so received at the time.²⁶¹

MR. MALLOCH believed it was said in all sincerity, and not at all jocosely. (Laughter).²⁶²

MR. H. SHERWOOD should vote against the motion, which was, in truth, a motion of want of confidence in the Crown Lands Department. He was not prepared to support this as he had full confidence in the honesty and good intentions of the Commissioner of Crown Lands, individually. Had it been a vote of want of confidence in the whole Government, he should have voted for it cheerfully.²⁶³

MR. WILSON bore testimony to the efficiency of the Crown Lands Department, and the readiness of all connected with it to give information to the parties requiring it.²⁶⁴

MR. ROBINSON, without throwing any censure upon the department, would have been willing, at an earlier stage of the session, to have voted for an inquiry, with the view of effecting a change in the system of the management of our public lands.--At this period of the session, no efficient enquiry could be made, and he should therefore oppose the motion.²⁶⁵

MR. CHRISTIE spoke favourably of the management of the department.²⁶⁶

MR. LYON said that as the sense of the house was against the motion,²⁶⁷ and there being no disposition on the part of the House to take up the matter,²⁶⁸ he would withdraw it.²⁶⁹

After some further discussion the motion was withdrawn.²⁷⁰

FOOTNOTES: 30 JULY 1851.

1. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 31 July 1851, BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 2 August 1851, MONTREAL GAZETTE, 4 August 1851, PILOT, 5 August 1851, and NORTH AMERICAN, 8 August 1851.
2. GLOBE, 31 July 1851.
3. IBID.
4. BRITISH COLONIST, 1 August 1851.
5. GLOBE, 31 July 1851.
6. BRITISH COLONIST, 1 August 1851.
7. GLOBE, 31 July 1851.
8. BRITISH COLONIST, 1 August 1851.
9. GLOBE, 31 July 1851.
10. IBID.
11. IBID.
12. IBID.
13. The following papers reported that "the motion was negatived, by 44 to 3; the minority being Messrs. Lyon, Méthot, and Ross": GLOBE, 31 July 1851, BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 2 August 1851, MONTREAL GAZETTE, 4 August 1851, PILOT, 5 August 1851, and NORTH AMERICAN, 8 August 1851.
14. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 31 July 1851, BRITISH COLONIST, 1 August 1851, MONTREAL GAZETTE, 4 August 1851, PILOT, 5 August 1851, and NORTH AMERICAN, 8 August 1851. A commentary on the debate appeared in BATHURST COURIER, 5 August 1851. The accounts of GLOBE, MONTREAL GAZETTE, and BATHURST COURIER all noted, in error, that it was the "9th Standing Rule" which was to be amended.
15. GLOBE, 31 July 1851.
16. BRITISH COLONIST, 1 August 1851.
17. GLOBE, 31 July 1851.
18. BATHURST COURIER, 5 August 1851.
19. BATHURST COURIER, 5 August 1851, commented that "Mr. Sherwood referred to that inveterate enemy of the Press, Mr. Gagy. It appears the Reporters, owing to the silliness of the hon. gentleman's speeches and his repugnance to appearing in print unless his inordinate vanity is gratified at the sacrifice of honesty on the part of the Reporters, that they have resolved not to bore the public with any thing he says. Being annoyed at this, the hon. gentleman avails himself of the power which the 9th [sic] standing rule of the House confers on him, and orders that the galleries be cleared--in fact that the Reporters be ordered out--which order, of course was obeyed. It is most absurd that such power should be vested in a single individual. In the United States Senate it requires a majority vote to accomplish what one individual can do in our House of Assembly."
20. BRITISH COLONIST, 1 August 1851.
21. IBID.
22. IBID.
23. The following papers reported the debate on this matter in identical accounts: GLOBE, 31 July 1851, MONTREAL GAZETTE, 4 August 1851, PILOT, 5 August 1851, MORNING CHRONICLE, 6 August 1851, HAMILTON SPECTATOR, 6 August 1851, LA MINERVE, 7 August 1851, and JOURNAL DE QUEBEC, 9 August 1851, which copied from LA MINERVE. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 1 August 1851, BATHURST COURIER, 5 August 1851, EXAMINER, 6 August 1851, and NORTH AMERICAN, 8 August 1851.
24. BRITISH COLONIST, 1 August 1851.
25. MONTREAL GAZETTE, 4 August 1851.
26. IBID.

27. BRITISH COLONIST, 1 August 1851.
28. MONTREAL GAZETTE, 4 August 1851.
29. BRITISH COLONIST, 1 August 1851.
30. IBID.
31. IBID.
32. MONTREAL GAZETTE, 4 August 1851.
33. BRITISH COLONIST, 1 August 1851.
34. MONTREAL GAZETTE, 4 August 1851.
35. BRITISH COLONIST, 1 August 1851.
36. MONTREAL GAZETTE, 4 August 1851.
37. IBID.
38. IBID.
39. IBID.
40. BRITISH COLONIST, 1 August 1851.
41. MONTREAL GAZETTE, 4 August 1851.
42. BRITISH COLONIST, 1 August 1851.
43. MONTREAL GAZETTE, 4 August 1851.
44. BRITISH COLONIST, 1 August 1851.
45. MONTREAL GAZETTE, 4 August 1851.
46. BRITISH COLONIST, 1 August 1851.
47. MONTREAL GAZETTE, 4 August 1851.
48. BRITISH COLONIST, 1 August 1851.
49. MONTREAL GAZETTE, 4 August 1851.
50. BRITISH COLONIST, 1 August 1851.
51. MONTREAL GAZETTE, 4 August 1851.
52. BRITISH COLONIST, 1 August 1851.
53. MONTREAL GAZETTE, 4 August 1851.
54. BRITISH COLONIST, 1 August 1851.
55. IBID.
56. MONTREAL GAZETTE, 4 August 1851.
57. BRITISH COLONIST, 1 August 1851.
58. MONTREAL GAZETTE, 4 August 1851.
59. BRITISH COLONIST, 1 August 1851.
60. MONTREAL GAZETTE, 4 August 1851.
61. BRITISH COLONIST, 1 August 1851.
62. IBID.
63. IBID.
64. IBID.
65. IBID.
66. MONTREAL GAZETTE, 4 August 1851.
67. BRITISH COLONIST, 1 August 1851.
68. IBID.
69. MONTREAL GAZETTE, 4 August 1851.
70. BRITISH COLONIST, 1 August 1851.
71. MONTREAL GAZETTE, 4 August 1851.
72. IBID.
73. BRITISH COLONIST, 1 August 1851.
74. MONTREAL GAZETTE, 4 August 1851.
75. BRITISH COLONIST, 1 August 1851.
76. MONTREAL GAZETTE, 4 August 1851.
77. BRITISH COLONIST, 1 August 1851.
78. MONTREAL GAZETTE, 4 August 1851.
79. BRITISH COLONIST, 1 August 1851.
80. MONTREAL GAZETTE, 4 August 1851.
81. BRITISH COLONIST, 1 August 1851.
82. MONTREAL GAZETTE, 4 August 1851.

83. BRITISH COLONIST, 1 August 1851.
84. MONTREAL GAZETTE, 4 August 1851.
85. BRITISH COLONIST, 1 August 1851.
86. MONTREAL GAZETTE, 4 August 1851.
87. BRITISH COLONIST, 1 August 1851.
88. MONTREAL GAZETTE, 4 August 1851.
89. BRITISH COLONIST, 1 August 1851.
90. IBID.
91. MONTREAL GAZETTE, 4 August 1851.
92. BRITISH COLONIST, 1 August 1851.
93. MONTREAL GAZETTE, 4 August 1851.
94. BRITISH COLONIST, 1 August 1851.
95. MONTREAL GAZETTE, 4 August 1851.
96. BRITISH COLONIST, 1 August 1851.
97. MONTREAL GAZETTE, 4 August 1851.
98. BRITISH COLONIST, 1 August 1851.
99. MONTREAL GAZETTE, 4 August 1851.
100. BRITISH COLONIST, 1 August 1851.
101. MONTREAL GAZETTE, 4 August 1851.
102. IBID.
103. IBID.
104. IBID.
105. IBID.
106. IBID.
107. IBID.
108. IBID.
109. BRITISH COLONIST, 1 August 1851.
110. IBID.
111. IBID.
112. MONTREAL GAZETTE, 4 August 1851.
113. IBID.
114. IBID.
115. BRITISH COLONIST, 1 August 1851.
116. MONTREAL GAZETTE, 4 August 1851.
117. BRITISH COLONIST, 1 August 1851.
118. IBID.
119. MONTREAL GAZETTE, 4 August 1851.
120. BRITISH COLONIST, 1 August 1851.
121. MONTREAL GAZETTE, 4 August 1851.
122. IBID.
123. BRITISH COLONIST, 1 August 1851.
124. IBID.
125. IBID.
126. IBID.
127. IBID.
128. IBID.
129. MONTREAL GAZETTE, 4 August 1851.
130. BRITISH COLONIST, 1 August 1851.
131. MONTREAL GAZETTE, 4 August 1851.
132. BRITISH COLONIST, 1 August 1851.
133. MONTREAL GAZETTE, 4 August 1851.
134. BRITISH COLONIST, 1 August 1851.
135. MONTREAL GAZETTE, 4 August 1851.
136. BRITISH COLONIST, 1 August 1851.
137. MONTREAL GAZETTE, 4 August 1851.
138. IBID.

139. IBID.
140. IBID.
141. IBID.
142. NORTH AMERICAN, 8 August 1851.
143. MONTREAL GAZETTE, 4 August 1851.
144. IBID.
145. NORTH AMERICAN, 8 August 1851.
146. MONTREAL GAZETTE, 4 August 1851.
147. NORTH AMERICAN, 8 August 1851.
148. MONTREAL GAZETTE, 4 August 1851.
149. NORTH AMERICAN, 8 August 1851.
150. MONTREAL GAZETTE, 4 August 1851.
151. EXAMINER, 6 August 1851.
152. The following papers noted in error that the vote on the amendment was lost 50 to 5: GLOBE, 31 July 1851, BRITISH COLONIST, 1 August 1851, MONTREAL GAZETTE, 6 August 1851, HAMILTON SPECTATOR, 6 August 1851, NORTH AMERICAN, 8 August 1851, LA MINERVE, 7 August 1851, and JOURNAL DE QUEBEC, 9 August 1851, which copied from LA MINERVE.
153. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 6 August 1851, which copied from BRITISH COLONIST, EXAMINER, 6 August 1851, NORTH AMERICAN, 8 August 1851; GLOBE, 2 August 1851, PILOT, 7 August 1851, OTTAWA CITIZEN, 9 August 1851, BATHURST COURIER, 12 August 1851, LA MINERVE, 7 August 1851, and JOURNAL DE QUEBEC, 9 August 1851.
154. HAMILTON SPECTATOR, 6 August 1851.
155. PILOT, 7 August 1851.
156. HAMILTON SPECTATOR, 6 August 1851.
157. PILOT, 7 August 1851.
158. HAMILTON SPECTATOR, 6 August 1851.
159. PILOT, 7 August 1851.
160. HAMILTON SPECTATOR, 6 August 1851.
161. PILOT, 7 August 1851.
162. HAMILTON SPECTATOR, 6 August 1851.
163. PILOT, 7 August 1851.
164. The following papers noted in error that Mr. Hincks moved this amendment: BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 6 August 1851, which copied from BRITISH COLONIST, and NORTH AMERICAN, 8 August 1851.
165. HAMILTON SPECTATOR, 6 August 1851.
166. PILOT, 7 August 1851.
167. EXAMINER, 6 August 1851.
168. NORTH AMERICAN, 8 August 1851.
169. IBID.
170. IBID.
171. IBID.
172. PILOT, 7 August 1851.
173. NORTH AMERICAN, 8 August 1851.
174. PILOT, 7 August 1851.
175. NORTH AMERICAN, 8 August 1851.
176. PILOT, 7 August 1851.
177. NORTH AMERICAN, 8 August 1851.
178. IBID.
179. PILOT, 7 August 1851.
180. NORTH AMERICAN, 8 August 1851.
181. PILOT, 7 August 1851.
182. HAMILTON SPECTATOR, 6 August 1851.
183. IBID.

184. PILOT, 7 August 1851.
185. HAMILTON SPECTATOR, 6 August 1851.
186. IBID.
187. IBID.
188. PILOT, 7 August 1851.
189. HAMILTON SPECTATOR, 6 August 1851.
190. PILOT, 7 August 1851.
191. HAMILTON SPECTATOR, 6 August 1851.
192. PILOT, 7 August 1851.
193. HAMILTON SPECTATOR, 6 August 1851.
194. IBID.
195. IBID.
196. PILOT, 7 August 1851.
197. HAMILTON SPECTATOR, 6 August 1851.
198. PILOT, 7 August 1851.
199. HAMILTON SPECTATOR, 6 August 1851.
200. PILOT, 7 August 1851.
201. HAMILTON SPECTATOR, 6 August 1851, which copied from BRITISH COLONIST, 1 August 1851, reported that Mr. H. Sherwood rose. The following papers reported that Mr. W. Boulton rose: GLOBE, 2 August 1851, PILOT, 7 August 1851, OTTAWA CITIZEN, 9 August 1851, LA MINERVE, 7 August 1851, and JOURNAL DE QUEBEC, 9 August 1851. BRITISH COLONIST, 1 August 1851, and NORTH AMERICAN, 8 August 1851, suggested that the speaker was Mr. H. Boulton.
202. PILOT, 7 August 1851.
203. HAMILTON SPECTATOR, 6 August 1851.
204. PILOT, 7 August 1851.
205. HAMILTON SPECTATOR, 6 August 1851.
206. PILOT, 7 August 1851.
207. HAMILTON SPECTATOR, 6 August 1851.
208. PILOT, 7 August 1851.
209. HAMILTON SPECTATOR, 6 August 1851.
210. PILOT, 7 August 1851.
211. HAMILTON SPECTATOR, 6 August 1851.
212. PILOT, 7 August 1851.
213. IBID.
214. IBID.
215. IBID.
216. HAMILTON SPECTATOR, 6 August 1851.
217. PILOT, 7 August 1851.
218. HAMILTON SPECTATOR, 6 August 1851.
219. IBID.
220. PILOT, 7 August 1851.
221. HAMILTON SPECTATOR, 6 August 1851.
222. IBID.
223. PILOT, 7 August 1851.
224. HAMILTON SPECTATOR, 6 August 1851.
225. PILOT, 7 August 1851.
226. HAMILTON SPECTATOR, 6 August 1851.
227. IBID.
228. PILOT, 7 August 1851.
229. HAMILTON SPECTATOR, 6 August 1851.
230. PILOT, 7 August 1851.
231. IBID.
232. HAMILTON SPECTATOR, 6 August 1851.
233. PILOT, 7 August 1851.
234. IBID.

235. IBID.
236. IBID.
237. IBID.
238. IBID.
239. EXAMINER, 6 August 1851.
240. HAMILTON SPECTATOR, 6 August 1851, which copied from BRITISH COLONIST, 1 August 1851, reported that Mr. Holmes moved the House into Committee of the Whole on this matter.
241. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 6 August 1851, which copied from BRITISH COLONIST, NORTH AMERICAN, 8 August 1851; PILOT, 7 August 1851, and OTTAWA CITIZEN, 9 August 1851. The debate was also reported by EXAMINER, 6 August 1851.
242. EXAMINER, 6 August 1851.
243. PILOT, 7 August 1851.
244. HAMILTON SPECTATOR, 6 August 1851.
245. PILOT, 7 August 1851.
246. HAMILTON SPECTATOR, 6 August 1851.
247. IBID.
248. PILOT, 7 August 1851.
249. IBID.
250. HAMILTON SPECTATOR, 6 August 1851.
251. IBID.
252. PILOT, 7 August 1851.
253. BRITISH COLONIST, 1 August 1851.
254. The following papers reported the debate on this withdrawn motion in identical accounts: GLOBE, 31 July 1851, BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 2 August 1851, MONTREAL GAZETTE, 4 August 1851, PILOT, 5 August 1851, and NORTH AMERICAN, 8 August 1851. EXAMINER, 6 August 1851, also reported the motion. BATHURST COURIER, 5 August 1851, noted the motion on this matter.
255. BRITISH COLONIST, 1 August 1851.
256. EXAMINER, 6 August 1851.
257. BRITISH COLONIST, 1 August 1851.
258. IBID.
259. GLOBE, 31 July 1851.
260. BRITISH COLONIST, 1 August 1851.
261. IBID.
262. IBID.
263. IBID.
264. IBID.
265. IBID.
266. IBID.
267. HAMILTON SPECTATOR, 2 August 1851.
268. BATHURST COURIER, 5 August 1851.
269. HAMILTON SPECTATOR, 2 August 1851.
270. EXAMINER, 6 August 1851.

THURSDAY, 31 JULY 1851.

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Hall,--The Petition of John Milburn and others, of the Town and County of Peterborough, members of the Wesleyan Methodist Church in Canada.

By Mr. Boulton of Toronto,--The Petition of D. Paterson, and S.F. Urquhart, Merchants, of the City of Toronto.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read:--

Of John Arksey, of the Township of North Gwillimbury, County of York; representing that he purchased a certain lot of land in the said Township sold by the Sheriff of the said County for taxes, that the said lot or parcel of land has proved less in quantity than was specified, and that he has been put to costs in maintaining his title against the original owner, and praying redress and compensation in the premises.

Of the Reverend F.E. Moore, and others, of that part of the Seigniorship of Lauson called Ste. Catherine, in the County of Dorchester; praying that that part of the said Seigniorship, occupied by them, may be attached to the parish of St. Bernard, for Municipal purposes.

Of James FitzGerald, of the City of Toronto; praying that a Committee be appointed to investigate the best means of promoting the settlement of the waste lands of Canada, by a healthy and continuous system of Colonization.

Of C.P. Huot, Esquire, and others, of the Parish of La Baie St. Paul, County of Saguenay; praying aid for the construction of a Bridge and Landing Place in the said Parish.

Thirteenth
Report of
Committee on
Private Bills.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirteenth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to incorporate the Western Assurance Company, and have made certain amendments thereunto, which they beg to submit for the consideration of Your Honorable House.

Western
Assurance
Company Bill.

Ordered, That the Bill to incorporate the Western Assurance Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Waterous'
Civil and Po-
litical Rights
Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to confer upon Charles Horatio Waterous, of the Town of Brantford, Machinist, the Civil and Political Rights of a natural born British Subject," be now taken into con-

sideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 24. After "the" where it occurs for the second time, insert "said."

In the Preamble of the Bill:

Press 1, line 2. After "Brantford" insert "in the County of Wentworth."

Press 1, line 3. After "behalf" insert "represents that he has been a resident in this Province ever since some time in the year of our Lord one thousand eight hundred and forty-nine, and that he has determined to become a permanent resident in this Province, and has."

In the Title of the Bill:

Line 1. Leave out from "Waterous" to "the" in line 3.

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Wilson do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Fourth Report
of Committee
on Railroads and
and Telegraph
Lines.

The Honorable Mr. Macdonald, from the Standing Committee on Railroads and Telegraph Lines, presented to the House the Fourth Report of the said Committee; which was read, as followeth:--

Your Committee having had under their consideration the proper Gauge to be adopted for the proposed Main Trunk Line of Railway through the Province, and having taken a great deal of evidence upon the subject, have, after a careful deliberation, agreed to the following Resolutions:--

1. Resolved, That a medium Gauge of five feet six inches is the one best adapted for the promotion of Canadian interests, and should be recommended to the Legislative Assembly as such.

2. Resolved, That the said Gauge of five feet six inches should be adopted as the proper Gauge for the Main Trunk Line of Railway through the Province westward to Hamilton, and should also be recommended by the Government to the Directors of the Great Western Railway, for their adoption.

Your Committee have further to report, that they have examined the Bill to amend an Act, intituled, "An Act for incorporating the Toronto and Goderich Railway Company," and to continue the same as amended, under the name of "The Toronto and Guelph Western Extension Railway Company:" They are of opinion that a new Act of Incorporation should be granted for the construction of a Railway from Toronto to Guelph, under the provisions of the General Railway Act now before Your Honorable House, but that the said Charter should not authorize the extension of the Railway to Goderich; and they consider that a Clause should be inserted in the Act of Incorporation, fixing the Gauge for such Railway at five feet six inches. In recommending the granting of this Charter, Your Committee had in view the facilitating the communication of the inhabitants of Guelph and the adjacent

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country with Toronto, and not the construction of a Road from Guelph to Goderich as a competing line to the Great Western Railway.

Your Committee have amended the Bill in accordance with the above recommendations, and beg leave to report the same for the consideration of Your Honorable House.

Toronto and
Guelph Rail-
way Bill.

Ordered, That the Bill to amend an Act, intituled, "An Act for incorporating the Toronto and Goderich Railway Company," and to continue the same as amended, under the name of "The Toronto and Guelph Western Extension Railway Company," as reported from the Standing Committee on Railroads and Telegraph Lines, be committed to a Committee of the whole House, for to-morrow.

Bill relating
to By-law of
Peterborough Mun-
icipal Council.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to indemnify the Municipal Councillors of the County of Peterborough, and others, for acts done under a certain

By-Law of the Municipal Council of the said County which was afterwards quashed," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 2, line 1. Leave out from "Act" to "shall" in line 2.

Press 2, line 4. Leave out from "to" to "the" where it occurs the first time in line 5.

Press 2, line 12. After "passed" insert "Provided always that nothing herein contained shall be construed to legalise or render valid the said By-Law, or any other By-Law of the said Municipal Council, which would not be legal or valid without this Act.

In the Preamble of the Bill:

Press 1, line 11. Leave out from "Whereas" to "doubts" in line 16.

Press 1, line 25. Leave out from "passing" to "the."

Press 1, line 28. Leave out from "passed" to "in."

In the Title of the Bill:

Line 12. Leave out from "for" to "a" in line 3, and insert "passing."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Hall do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

King's College
and Upper Can-
ada College.

The Honorable Mr. Price, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 30th instant, praying His Excellency to cause to be laid before the House, a copy of the Report or Reports of the Commissioners who were appointed to enquire into the Affairs of King's College, (now the University of Toronto,) and Upper Canada College.

Appendix (E.E.E.)

For the said Return, see Appendix (E.E.E.)

Provincial
Penitentiary.

And also, Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 23rd instant, praying His Excellency to cause to be laid before the House, the Report of the Roman Catholic Chaplain of the Provincial Penitentiary, and the correspondence between that Officer and the Inspectors, for and during the years 1850-1.

Appendix (W.)

For the said Return, see Appendix (W.)

Bill relating to
Municipalities
acquiring Pub-
lic Works.

Mr. Gugy reported the Bill to remove doubts as to Municipal Corporate Bodies acquiring Public Works without the limits of such Municipalities; and the amendments were read, and agreed to.

Mr. Stevenson moved, seconded by Mr. McLean, and the Question being proposed, That the Bill, with the amendments, be engrossed, and read the third time on Saturday next;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. McFarland, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be now recommitted, with the view of further amending the same" instead thereof;

And the Question being put on the Amendment:--It was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be now recommitted, with the view of further amending the same.

The House accordingly resolved itself into the said Committee.

Mr. Méthot took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Méthot reported, That the Committee had gone through the Bill, and made a further amendment thereunto.

Ordered, That the Report be received to-morrow.

Lights and
Light Houses.

Mr. Mackenzie, from the Committee to consider the expediency of repealing the several enactments imposing Tonnage Dues for the maintaining of Lights and Light Houses in this Province, and providing for the expense of maintaining such Lights and Light Houses out of the Consolidated Revenue Fund, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient to repeal the several enactments imposing Tonnage Dues for the maintaining of Lights and Light Houses in this Province; and to provide for the expense of maintaining such Lights and Light Houses out of the Consolidated Revenue Fund.

The said Resolution, being read a second time, was agreed to.

Duty on
Bank Notes.

The Honorable Mr. Cameron of Cornwall, from the Committee to consider the expediency of relieving the several Chartered Banks from the Duty imposed on their circulation by the Act 4 & 5 Vic. cap. 29, on certain conditions calculated to assimilate the provisions under which they issue Bank Notes for circulation more nearly to those of the General Banking Law, and to facilitate the negotiation of the Debentures to be issued by the Province, or for effecting or contributing towards effecting Public Improvements, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient to relieve the several Chartered Banks from the Duty imposed on their circulation by the Act 4 & 5 Vic. cap. 29, on certain conditions calculated to assimilate the provisions under which they issue Bank Notes for circulation more nearly to those of the General Banking Law and to facilitate the negotiation of the Debentures to be issued by the Province, with a view of effecting or contributing towards effecting Public Improvements.

The said Resolution, being read a second time, was agreed to.

DR. LATERRIERE¹ moved the second reading of the bill to amend the law relative to the practice of medicine in Lower Canada.²

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Physic and
Surgery Law
Amendment
Bill (L.C.).

The Order of the day being read, for resuming the adjourned Debate upon the Question which was on Saturday last proposed, That the Bill further to amend the Law relative to the practice of Physic, Surgery, and Midwifery, in Lower Canada, be now read a second time;

MR. HOLMES rose to oppose it. He read a petition from McGill College against it, and went on to contend against its second reading.³

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And the Question being again proposed:--The House resumed the said adjourned Debate.

A long debate ensued chiefly as to the propriety of allowing medical practitioners arriving from Great Britain, to practise in Lower Canada, without undergoing examination there, and receiving another diploma. Some members insisted on the necessity of imposing a restriction of this nature; others deprecated the measure as designed to create a monopoly, injurious to medical men arriving in the Province, and detrimental to the interests of the public.⁴

DR. FORTIER supported the bill, contending that the fancies of a few men in McGill College should not weigh against the interest of the whole province.⁵

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Mr. Holmes moved in amendment to the Question, seconded by the Honorable Mr. Robinson, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Burritt, Cameron of KENT, Holmes, Lyon, Solicitor General Macdonald, Mackenzie, Malloch, McLean, Notman, Price, Prince, Robinson, Scott of BYTOWN, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Stevenson.--(18.)

NAYS.

Messieurs Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Chauveau, Davignon, Duchesnay, Flint, Fortier, Fournier, Guillet, Jobin, Lacoste, LaTerrière, Lemieux, McConnell, Méthot, Mongenais, Nelson, Polette, Sanborn, Taché, and Viger.--(25.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Chauveau, Davignon, Duchesnay, Flint, Fortier, Fournier, Guillet, Jobin, Lacoste, LaTerrière, Lemieux, McConnell, Méthot, Mongenais, Nelson, Polette, Sanborn, Taché, and Viger.--(25.)

NAYS.

Messieurs Bell, Burritt, Cameron of KENT, Holmes, Lyon, Solicitor General Macdonald, Mackenzie, Malloch, McLean, Notman, Price, Prince, Robinson, Scott of BYTOWN, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Stevenson.--(18.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time.

The Honorable Mr. LaTerrière moved, seconded by Mr. Duchesnay, and the Question being proposed, That the Bill be now committed to a Committee of the whole House;

This was rejected on the motion of MR. J. CAMERON, in order that time might be afforded for the consideration of some of the clauses, with a view to their amendment; the object declared by the hon. member for Cornwall, being to establish a system of reciprocity, in regard to medical practitioners, between the two sections of the province and the mother country.⁶

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The Honorable Mr. Cameron of Cornwall moved in amendment to the Question, seconded by Mr. Boulton of Toronto, That the word "now" be left out, and the words "for Saturday next" added at the end thereof;

And the Question being put on the Amendment; the House divided:--And it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be committed to a Committee of the whole House, for Saturday next.

Message from the Council.

A Message from the Legislative Council, by John Fenning's Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

Election Petitions Bill.

The Legislative Council have passed the Bill, intituled, "An Act to repeal the several Acts of the Parliaments of Lower and Upper Canada now in force for the trial of Controverted Parliamentary Elections in the two sections of the Province respectively, and to provide by one General Act for the trial of all Parliamentary Election Petitions," without any Amendment: And also,

Territorial Divisions Bill (U.C.).

The Legislative Council have passed the Bill, intituled, "An Act to make certain alterations in the Territorial Divisions of Upper Canada," with several Amendments, to which they desire the concurrence of this House: And

also,

Apprentices and Minors Bill.

The Legislative Council have passed the Bill, intituled, "An Act to amend the Law relating to Apprentices and Minors," with several Amendments, to which they desire the concurrence of this House: And also,

Canada Guarantee Company Bill.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the Canada Guarantee Company," with several Amendments, to which they desire the concurrence of this House: And also,

The Legislative Council have adopted the following Resolution:--

Library.

Resolved, That it be an Instruction to the Legislative Councillors appointed to act on behalf of this House as Members of a Joint Committee of both Houses for the regulation and management of the Parliamentary Library, to consider the expediency of sending a competent person to Europe for the purpose of purchasing such classes of Works as are necessary for the said Library, under such instructions as the Speakers of both Houses and the said Joint Committee shall deem advisable.

And then he withdrew.

Lakes Superior and Huron Canal Bill.

The Order of the day for the second reading of the Bill to provide for the construction of a Canal to connect Lakes Superior and Huron, being read;

The Honorable Mr. Robinson moved, seconded by Mr. Malloch, and the Question being proposed, That the Bill be now read a second time;⁷

MR. ROBINSON explained that⁸ he would have preferred to see the canal constructed by the government, as a Provincial work but as they were not disposed to undertake it, he asked the House to give permission to allow others to make it, provided they acted on plans and specifications which received the sanction of the Board of Works.⁹ The present bill gave no power of monopoly to any company whom they might think capable of constructing such a canal, the right to do so, on condition that the work should be constructed of such a size with locks

of such dimensions and with tolls of such amount as the Government might direct.¹⁰

MR. SOL. GEN. MACDONALD said this measure should not be pressed, after the decision come to a few days ago in reference to a similar bill, (that for the construction of the Sault Ste. Marie Canal). The government were not disposed to take up the matter now, and they were equally indisposed to delegate to a private company the construction of a great public work.¹¹

MR. NOTMAN moved in amendment that the bill be read a second time this day six months.¹²

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Mr. Notman moved in amendment to the Question, seconded by Mr. Cauchon, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. ROBINSON did not wonder at the opposition.¹³ The amendment ... was characteristic of the party from whome [sic] it emanated. Long as he had been in Parliament¹⁴ he never new [sic] a¹⁵ practicable plan of public improvement¹⁶ which met the support of the Liberals¹⁷ [or proceeded] from any of the very liberal gentlemen opposite.¹⁸ The present bill was not like the last, for it only procured a company to find the necessary funds if that were approved of.¹⁹

MR. COM. CR. LANDS PRICE said that the course pursued by the government in regard to the bill indicated a want of confidence in themselves, as well as a want of knowledge in relation to the importance of the work proposed. He had received letters from gentlemen at Buffalo and Detroit, who were thunderstruck by the rejection of the former bill for the construction of the Sault Ste. Marie Canal by a private company. This surprise would be heightened everywhere, if the present bill were thown [sic] out, without any valid reason. It was highly impolite to throw impediments in the way of private enterprise, especially when it appeared in a shape so inobjectionable as in the bill before the House.²⁰

MR. W. BOULTON supported the bill.²¹

MR. COM. CR. LANDS PRICE said the government could take no other course than to oppose this measure, after rejecting a measure precisely similar, a few days ago.²²

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Cartier, Cauchon, Chabot, Chauveau, Duchesnay, Fournier, Guillet, Jobin, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Méthot, Mongenais, Nelson, Notman, Polette, Price, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of DURHAM, Taché, and Viger.--(26.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Christie, Fergusson, Flint, Lyon, Macdonald of KINGSTON, Malloch, McConnell, McFarland, McLean, Prince, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(19.)

So it was resolved in the Affirmative.

The bill was therefore lost.²³

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Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Quebec
Fire Loans.

The Honorable Mr. Price, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 9th ultimo, praying for a Return in continuation of that sent down on the 16th July, 1850, shewing the amount of the sums, and the names of the respective parties still in arrear for principal and interest upon the Loans to the Inhabitants of Quebec, under the Provincial Statute 9 Vic. cap. 62; also, the number and names of parties, if any, who obtained loans without giving security, as well as the dates and amounts and nature of the securities given by those who gave security, and the number and names of parties, if any, who have become bankrupt and insolvent, and the amount of loss in each case in consequence thereof, and from all other causes; and also, in whose custody the securities taken remain, and how much of the principal and interest has been received by the Government and paid over to the credit of the Consolidated Revenue, and the total expense attending

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the management of the fund at the present time.

Appendix (F.F.F.)

For the said Return, see Appendix (F.F.F.)

Quebec Turnpike
Trusts.

The Honorable Mr. Price also presented, pursuant to an Address to His Excellency the Governor General, the following Return:--

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 23rd instant, praying for a Return shewing a Debtor and Creditor Account between the Government and the Commissioners of the Quebec Turnpike Trusts, from their commencement to the present time, or to the end of the last fiscal year; and the amount of Debentures held, and of interest paid and received by the Government from year to year, on account of those Trusts.

[See Returns on following pages.]

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Bill relating
to By-Laws of
Municipal Cor-
porations in
Upper Canada.

The Order of the day for the second reading of the Bill to protect parties for acts done under By-Laws of Municipal Corporations in Upper Canada, and to limit the time for quashing such By-Laws, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Port Hope
Harbour and
Wharf Com-
pany Bill.

The Order of the day for the second reading of the Bill to increase the Capital Stock of the Port Hope Harbour and Wharf Company, being read;

The Honorable Mr. Cameron of Cornwall moved, seconded by Mr. Boulton of Toronto, and the Question being proposed, That the Bill be now read a second time;²⁴

MR. J. SMITH (Durham) opposed the bill²⁵. [He] showed that the company had obtained three different extensions of time for completing the harbour, which notwithstanding they had never done. They enjoy a monopoly for a mile each way and nobody can go on their boats. The result was heavy tolls and no proper shelter for vessels. Some negotiations had taken place between the Corporation of Port Hope and the company for a breach of their charter. The member for Cornwall had been employed by the company to conduct their case, and he now inter-voked [sic] the interventions of Parliament to decide. Mr. S. then read a memorial from the Corporation of Port Hope in opposition to the bill.²⁶

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STATEMENT of the Receipts and Payments made by the Commissioners of the Quebec Turnpike Trustees, from the commencement in 1841, to the 31st December, 1850.

Years.	Amount of Receipts from Tolls.		Amount of Debentures issued, including Temporary Loans.		Total Receipts from Tolls, Loans and Debentures.		Total Yearly Payments for constructing Roads, including Repayments of Temporary Loans.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.
1st March, 1841, to 31st December, 1842	3852	8 3	21600	0 0	25452	8 3	25513	2 2
1843	2947	18 3	* 7260	0 0	10207	18 3	9224	3 7
1844	2851	18 10	* 5140	0 0	7991	18 10	8909	8 0
1845	2975	14 6	* 8950	0 0	11925	14 6	10402	9 10
1846	3021	2 1	32	0 0	3053	2 1	4608	16 9
1847	3215	3 10	.....	.....	3215	3 10	3107	18 10
1848	2964	15 9	.....	.....	2964	15 9	3072	12 4
1849	2854	8 1	.....	.....	2854	8 1	2872	14 10
1850	3370	13 4	**7000	0 0	10370	13 4	10273	14 0
Total Currency	£28054	2 11	49982	0 0	78036	2 11	77985	0 4
Deduct Payments .....	.....	.....	.....	.....	£77985	0 4		
Leaving a balance on hand, 1st January, 1851, as per Account .....	.....	.....	.....	.....
Acts under which the Loans are authorized--4 Vic. cap. 17							£25,000	
do do do			--8 do do 55				8,882	
do do do			--13 & 14 Vic. cap. 102				25,000	
* £9,100 of these sums was for Temporary Loans effected in 1843, 44, and 45, the repayment of which is included in the payments.								
** This Loan was effected under the last mentioned Act, being for the purchase of <u>Dorchester Bridge</u> .								

Inspector General's Office, Toronto, 29th July, 1851.

Jos. Cary, Deputy Inspector General.

The Quebec Turnpike Trustees in Account with the Provincial Government.

Dr.

Cr.

Payments.	Total Currency.	Receipts.	Total Currency.
	£ s. d.		£ s. d.
To Amount paid out of the Public Chest, for Interest on the sum of £12,800 Debentures, issued by the Trustees for the year 1841	400 19 7	By this amount due the Civil Government, by the Trust, for Interest paid them	16009 6 3
To do for do on £21,600 do do 1842	1157 0 10		
To do for do on 23,500 do do 1843	1314 18 4		
To do for do on 25,000 do do 1844	1415 11 6		
To do for do on 33,850 do do 1845	1725 5 7		
To do for do on 33,850 do do 1846	2031 0 0		
To do for do on 33,882 do do 1847	2033 8 10		
To do for do on 33,882 do do 1848	2032 18 4		
To do for do on 33,882 do do 1849	2032 18 4		
To do for do on 33,882 do do 1850	1865 4 11		
Total Interest paid by Civil Government, from the year 1841 to 1850, inclusive	£16009 6 3	Total Currency	£16009 6 3
1st January, 1851--By Amount due the Civil Government, brought down	£16009 6 3		

Inspector General's Office,
Toronto, 29th July, 1851.

Jos. Cary,
Deputy Inspector General.

Ordered, That the two preceding Returns be printed for the use of the Members of this House.

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Mr. Smith of Durham moved in amendment to the Question, seconded by Mr. Flint, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Toronto Uni-
versity Bill.

The Order of the day for the second reading of the Bill to amend the Charter of the University of Toronto, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Bill relating
to Trial by
Jury (U.C.).

The Order of the day for the second reading of the Bill to dispense with Trial by Jury in certain cases in Upper Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Burritt, the Honorable Mr. Sherwood, Mr. Scott of Bytown, Mr. Lyon, and Mr. Wilson, to report thereon with all convenient speed.

Bill relating to
Civil Actions.

The Order of the day for the second reading of the Bill to simplify the administration of Justice in Civil Actions in Upper Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of the Honorable Mr. Boulton, the Honorable Mr. Macdonald, the Honorable Mr. Baldwin, the Honorable Mr. Sherwood, Mr. Solicitor General Macdonald, Mr. Richards, and Mr. Burritt, to report thereon with all convenient speed.

Recusation of
Judges Bill.

The Order of the day for the second reading of the Bill to allow the recusation of Judges who are Seigniors, in cases where Seigniorial Rights are called in question,

being read;

Mr. Lemieux moved, seconded by Mr. Letellier, and the Question being proposed, That the Bill be now read a second time;²⁷

MR. LEMIEUX moved the second reading of the bill for the recusation of Judges in certain cases. He explained that the object of the bill was to prevent judges who were interested in the seigniorial tenure from sitting in cases having reference to it, which unfortunately for the country, in many instances had not been the case.²⁸

MR. AT. GEN. LAFONTAINE lui ... [a] demandé s'il était sérieux.²⁹

MR. LEMIEUX [a donné une] réponse ... affirmative³⁰.

MR. AT. GEN. LAFONTAINE opposed the bill and said it was calculated to bring dishonour on Lower Canada. To do equal justice, if you declare that a seignior must not be a judge, you must also declare that neither shall a censitaire be one. He regretted to see such a demoralizing principle advocated on the floor of the House.³¹ On opprimait, disait-il, les seigneurs, parce qu'ils étaient faibles, peu nombreux. "Pourquoi placer le seigneur dans une pire position que le censitaire auquel vous n'ôtez pas le pouvoir de juger les questions seigneuriales où

il est invariablement partie; mais non, la force numérique se trouve de ce côté, et vous vous rangez du côté du plus fort."³² If the hon. member finds that some judge, who is a seignior, has done injustice, let him have the courage to make the case known, and³³ to impeach the judge so that he may be punished.³⁴ He feared for the fate of the seigniors, when he saw members of Parliament in the House advocating such doctrines, and throwing away the broad principles of justice, for the purpose of courting popular favour. He deprecated, in strong terms, the spirit of [sic] socialism that was now spreading in Canada. He could not say where it would end, or what robbery or spoliation it might lead to; or if it would not upset all society, and destroy all right to private property.

He went on to refer to the propositions of some members made before the Seigniorial Tenure Committee, and declared, that they amounted to spoliation. He concluded by moving that the bill be read this day six months.³⁵

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The Honorable Mr. Attorney General LaFontaine moved in amendment to the Question, seconded by the Honorable Mr. LaTerrière, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. CHABOT (in French) censured Mr. Lafontaine for imputing dishonourable motives to members of the House; and if such a system of imputing motives were longer persisted in, the House would become more degraded than it was at present. He censured the hon. Attorney General for going into the question of the Seigniorial Tenure, and said it would be time enough to discuss that when it came legitimately before the House.--With respect to the bill before the House, he considered the principle unjust, and would vote for the amendment. He went at some length into the question of the Seigniorial Tenure, and said there never would be any peace in Lower Canada until it was settled.³⁶

DR. DAVIGNON followed, explaining the bill in English, to the same effect that Mr. Lemieux had done in French, denying particularly that the bill affected judges who were seigniors, unless they were called upon to decide in cases in which they had interest as seigniors.³⁷

DR. BOUTHILLIER (in French) censured Mr. Lafontaine in severe terms for the language that he had used with respect to members of the house, and the Seigniorial Tenure. He declared that the Attorney-General had not done his duty before the country in not making the Seigniorial Tenure a government question. He went on to remark on this subject.³⁸

MR. ARMSTRONG also warmly censured Mr. Lafontaine,³⁹ for the language he had used,⁴⁰ and said that if seeking popularity was a crime, that hon. gentleman was guilty of it, and that upon this very question for which he now blamed others.⁴¹ [He] caught the spirit of insubordination, and drew awkward contrasts between the present views of Mr. Lafontaine on the seigniorial tenure question, and those he held in opposition, and to which he gave expression in 1834 and 1841.⁴² In 1837, at a public meeting with Mr. Girouard, none had declaimed more loudly against the Seigniorial Tenure than he, and also in 1841 he had used the same sentiments. He went on at some length to speak on this subject, but it had no application to the bill before the House.⁴³ He (Mr. S.) explained ... the state of serfdom in which the habitans are held, in consequence of the seigniorial tenure, expressing his surprise that the people had submitted to it so long. People talked of it as a vested right, but he looked upon it as a vested rascality, and as the greatest evil that existed in Lower Canada, and which would bring great misfortune upon it if not speedily settled. The Hon. Attorney General had accused them of teaching communism and courting popularity, but he would tell that hon. gentleman that if he had thought his course was to be against that question he (Mr. A.) would

never have tucked his faith in the Attorney General's coat sleeve.⁴⁴

MR. BADGLEY said, that he had always been favorable to a settlement of this question, which had created a great deal of excitement and dissension amongst the communities of Lower Canada. He had hoped to have seen the question settled long ago, and even at this late period was happy to perceive that there was a possibility of its adjustment in a satisfactory manner. He was not one of those who joined in the extreme cry which had been raised in the district of Montreal, against Seigniors generally. That cry was for spoliation, for despoiling the Seigniors of the rights and dues which they have enjoyed for years under the guarantee and protection of the laws and the recorded judgments of the courts of justice. The cry had not been raised with the view of having justice done equally between the Seignior and censitaire. He presumed the House would be disposed to carry out any measure of adjustment by which the rights of both parties would be respected, and justice dealt out to them in the manner which was to be expected from a British legislature. He would vote against the bill now before the House; it contained a principle which he could not approve of. Because, if a seignior was subject to recusation in suits between the seignior and the censitaire, why not in like cases allow the censitaire judge to be recused? The principle operated unequally. Were all the rights of the seignior to be thus thrown into the hands of the censitaire? There was another feature in this bill, which to him was highly objectionable; it was the assumption, that when a suit between the Seignior and Censitaire came before a Court of Justice, there was no such thing to be found amongst the Judges as fairness or honesty. This was an imputation upon the integrity of our Bench of Justice, which he believed was entirely unjust and ill-founded. Recusation already existed in cases in which the parties were personally interested; and by the policy of the French law in force in Lower Canada, it was allowed for more than that: opposed as he was in principle, to the implication of judicial immorality, involved in recusation generally, he was opposed to its extension. He (Mr. B.) would much rather trust to the influence of public opinion, and to the honor and integrity of the judge, to see that justice was done between Seignior and the Censitaire, than to any system of recusation. Were the judges of the land to be cast from the bench, because an unjust suspicion might exist in the mind of one of the parties, that he would not receive justice, because the suit was between a Seignior and a Censitaire, and yet neither party would believe the judge incapable of trying any other case fairly and honestly? The proposition was most unreasonable,--it was absurd. Now, in regard to the condition of the Censitaire, about whom so much had been said in the course of this debate, he would observe, that no one could close his eyes to the fact that in the Montreal District consessionary [*sic*] conditions the most extortionate in character were imposed upon the censitaires. In the larger part of the concessions, the Seigniors had imposed such conditions upon the censitaires, that their energies were completely cramped and their hands he might say were literally tied, in fact the condition of the censitaire in that district was almost that of a serf (hear.) It was very correctly stated by the Hon. member for Quebec that the seignior in very many instances had reserved the power to cut wood upon the land of the censitaire, to make roads over it, and to excavate canals through it without indemnity or compensation to the censitaire, and many other impositions were practised upon the censitaires under the concessions by which they held their land. It was said that the censitaire need not take the land if he did not like. That was all true. But the censitaire had the feelings of nature inducing him to take the land upon any terms; he would be unwilling to leave the place with which he had been associated from early life--to separate himself from his family, his parents, and his friends, and the place of his birth, to seek a house in a foreign or distant country. Being so situated he was obliged to submit himself to these extortionate conditions, and he had no means of pro-

protecting himself against them. He might really with justice, call this oppression. It had been stated that the judges of the land had established this system of jurisprudence contrary to law; and that in a great measure it had been built up by judges who were seigniors themselves. He denied the correctness of the statement. From the time of the Conquest to 1774 there were certainly no seigniorial judges during that interval of time. A sort of military despotism, prevailed; and the regular courts of justice were not effectually re-established until after 1774.--The judges who constituted the courts of justice from that time were in general not seigniors, and in the long list from that period to the present time, the exceptions in favor of the seigniors were few indeed; and even of those few it had been observed that the tendency of their judgments was far from favorable to their own order. Many of the judges had come from abroad, and if they held property at all, it was as censitaires, and when they left the bench they were still censitaires and not seigniors. Those men established a system of jurisprudence such as they thought the requirements of the law justified, and he believed it had been carried out down to this time, with perfect integrity and honesty of purpose on their part.--It was possible that some of the judges might have erred in their opinion, and that their judgments might be open to legal criticism; but that was no reason why we should impute corrupt and dishonest motives to them in regard to their decisions between seignior and censitaire. To refuse them a seat upon the bench, as being partial and void of integrity in the trial of seigniorial suits, whilst in every other class of cases it was admitted that they did deal out even-handed justice, was a proposition to which he could not possibly accede. He would here take occasion to say that he conscientiously believed the seigniorial tenure had done more to demoralize and induce the increase of frauds and evasions among the censitaires, than any other thing in Lower Canada.⁴⁵ He, however,⁴⁶ did not despair of a system of commutation being adopted, that would be just to the censitaire and seignior.⁴⁷ When he said that he desired to see this vexed question speedily adjusted, he represented the views of a large majority of the people of Lower Canada. But this bill was of such a character, imputing, as it did, the most corrupt motives to our judges, that he could not approve of it, and felt bound cheerfully to vote against it.⁴⁸ He would support the amendment of the Attorney General⁴⁹.

MR. LAURIN (in French), in a very excited manner, attacked Mr. Lafontaine for his speech, and declared that he was a renegade to his principles, that he had expressed to the people of Terrebonne in an election address in 1841. He read from this address, which declared that this country required social regeneration with respect to the tenure, and that some means of just but speedy commutation should be devised. He had then called the seigniors aristocrats, and said that this new world required a different state of society. He went [on] to speak in support of the bill.⁵⁰

MR. CHAUVEAU (in French) declaimed against the bill as an extraordinary measure⁵¹ and he would vote against it. He did not believe that the judges could be affected by personal considerations of interest.⁵²

MR. LEMIEUX (in French) replied, declaring Mr. Lafontaine had made use of language unbecoming to his position, and unworthy of his character. He said if there was a spirit abroad in the country that would do the seigniors injustice, it was caused by a sense of wrong that had been done the censitaires by the seigniors. The hon. member went [on] at some length, generally replying to Mr. Lafontaine.⁵³

MR. VIGER (in French) opposed the bill; and went on to speak generally on the subject of the seigniorial tenure.⁵⁴

Some further discussion ensued on the irrelevant question of the seignorial tenure, during which MR. CARTIER defended Mr. Lafontaine, saying that Mr. Laurin had done him an injustice, as he had been the first to devote his great professional skill to checking the encroachments of the seigniors.⁵⁵

MR. AT. GEN. LAFONTAINE replied, saying that as to the attacks which had just been made upon him,⁵⁶ he did not wish to appear as having befriended the Seigniors, whose causes, whenever they resorted to harsh measures, he declared he had consistently refused to plead, and thereby sacrificed the means by which he might have realized a fortune.⁵⁷ He would have been a rich man, as his practice might then have produced him two or three thousand per year.--He had, however, constantly refused to do so.--As to the present bill he would repeat that it was impossible to consider this measure without recollecting that it was introduced by a member who had also proposed to commit the greatest act of spoliation which it was possible for any legislature to commit--he alluded to the proposition to abolish the lods et ventes. For his own part, he had always thought that the tenure of land was a subject in which the legislature could properly interfere; but only by giving indemnity to the sufferers by the change. In all the cases of difficulty which had occurred hitherto, it had never been pretended that the lods et ventes admitted of any doubt, and he believed the true burden was the cens et rentes. The hon. member for Dorchester was the first who had proposed to abolish the lods et ventes.⁵⁸

MR. LEMIEUX had not proposed to abolish, but to modify them; and this while he abolished the quint and requint.⁵⁹

MR. AT. GEN. LAFONTAINE.--Yes, he began by robbing the Crown, in order to induce the seigniors more readily to swallow the pill. The hon. gentleman then proceeded to condemn the principle of the recusation of judges, and declared that the principal questions connected with the seignorial tenure had been decided on a bench where there were no seigniors--by Judges Pyke, Reid, and Fouché. Since that time there had been one seignior, Judge Rolland, on the bench, and he was bound to say of that gentleman that he had often opposed the judgment of his colleagues in the interests of the censitaires.⁶⁰

After some other observations on the general question, the vote was taken on the amendment⁶¹.

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Burritt, Cartier, Caushon, Chubot, Chauveau, Dickson, Dumas, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McLean, Méthot, Polette, Price, Sanborn, Scott of BYTOWN, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, Taché, Viger, and Wilson.--(29.)

NAYS.

Messieurs Armstrong, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Cameron of KENT, Davignon, Flint, Fournier, Fourquin, Guillet, Hall, Hopkins, Laurin, Lemieux, Letellier, Mackenzie, McConnell, McFarland, Mongenais, Scott of TWO MOUNTAINS, and Smith of DURHAM.--(21.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Orders
deferred.

The Honorable Mr. Macdonald moved, seconded by Mr. Sherwood of Brockville, and the Question being put, That the remaining Orders of the day be postponed until to-morrow; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Boulton of NORFOLK, Burritt, Cartier, Chauveau, Dickson, Dumas, Fortier, Fournier, Guillet, Hall, Lacoste, Attorney General LaFontaine, Lemieux, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Malloch, McFarland, McLean, Méthot, Polette, Price, Sanborn, Sherwood of BROCKVILLE, Stevenson, Viger, and Wilson.--(30.)

NAYS.

Messieurs Boulton of TORONTO, Cauchon, Davignon, Flint, Hopkins, Johnson, Letellier, McConnell, Mongenais, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(13.)

So it was resolved in the Affirmative.

Then, on motion of Mr. Sherwood of Brockville, seconded by the Honorable Mr. Boulton,

The House adjourned.

FOOTNOTES: 31 JULY 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 6 August 1851, and NORTH AMERICAN, 8 August 1851. The following papers reported the debate in partially identical accounts: GLOBE, 2 August 1851, PILOT, 7 August 1851, OTTAWA CITIZEN, 9 August 1851, and LA MINERVE, 7 August 1851, which translated from MONTREAL HERALD, of unknown date.
2. PILOT, 7 August 1851. BRITISH COLONIST, 1 August 1851, stated in error that the bill in question concerned Upper Canada.
3. BRITISH COLONIST, 1 August 1851.
4. GLOBE, 2 August 1851.
5. BRITISH COLONIST, 1 August 1851.
6. GLOBE, 2 August 1851.
7. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 6 August 1851, and NORTH AMERICAN, 8 August 1851; GLOBE, 2 August 1851, PILOT, 7 August 1851, and OTTAWA CITIZEN, 9 August 1851. A commentary on the debate appeared in JOURNAL DE QUEBEC, 9 August 1851.
8. BRITISH COLONIST, 1 August 1851.
9. GLOBE, 2 August 1851.
10. BRITISH COLONIST, 1 August 1851.
11. GLOBE, 2 August 1851.
12. IBID.
13. BRITISH COLONIST, 1 August 1851.
14. GLOBE, 2 August 1851.
15. BRITISH COLONIST, 1 August 1851.
16. GLOBE, 2 August 1851.
17. BRITISH COLONIST, 1 August 1851.
18. GLOBE, 2 August 1851.
19. BRITISH COLONIST, 1 August 1851.
20. GLOBE, 2 August 1851.
21. IBID.
22. IBID.
23. IBID.
24. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 1 August 1851, HAMILTON SPECTATOR, 6 August 1851, and NORTH AMERICAN, 8 August 1851. The debate was also reported by EXAMINER, 6 August 1851. GLOBE, 2 August 1851, noted the debate.
25. BRITISH COLONIST, 1 August 1851.
26. EXAMINER, 6 August 1851.
27. The following papers reported the debate on this matter in identical accounts: GLOBE, 2 August 1851, PILOT, 7 August 1851, OTTAWA CITIZEN, 9 August 1851, and BATHURST COURIER, 12 August 1851; MONTREAL GAZETTE, 2 August 1851, MORNING CHRONICLE, 2 August 1851, MONTREAL TRANSCRIPT, 2 August 1851, BRITISH WHIG, 2 August 1851, and PILOT, 2 August 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 1 August 1851, MONTREAL GAZETTE, 5 August 1851, HAMILTON SPECTATOR, 6 August 1851, EXAMINER, 6 August 1851, PILOT, 7 August 1851, NORTH AMERICAN, 8 August 1851, and LA MINERVE, 7 August 1851, which translated from MONTREAL HERALD, of unknown date. The debate was also reported by MONTREAL GAZETTE, 5 August 1851, in a separate account, which reported in error that the debate took place "on Monday night;" and JOURNAL DE QUEBEC, 9 August 1851.

28. BRITISH COLONIST, 1 August 1851.
29. JOURNAL DE QUEBEC, 9 August 1851.
30. IBID.
31. BRITISH COLONIST, 1 August 1851.
32. JOURNAL DE QUEBEC, 9 August 1851.
33. BRITISH COLONIST, 1 August 1851.
34. PILOT, 7 August 1851.
35. BRITISH COLONIST, 1 August 1851.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. PILOT, 7 August 1851.
41. BRITISH COLONIST, 1 August 1851.
42. MONTREAL GAZETTE, 5 August 1851.
43. BRITISH COLONIST, 1 August 1851.
44. PILOT, 7 August 1851.
45. MONTREAL GAZETTE, 5 August 1851.
46. PILOT, 7 August 1851.
47. BRITISH COLONIST, 1 August 1851.
48. MONTREAL GAZETTE, 5 August 1851.
49. PILOT, 7 August 1851.
50. BRITISH COLONIST, 1 August 1851.
51. PILOT, 7 August 1851.
52. BRITISH COLONIST, 1 August 1851.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. MONTREAL GAZETTE, 5 August 1851.
58. BRITISH COLONIST, 1 August 1851.
59. IBID.
60. IBID.
61. IBID.

FRIDAY, 1 AUGUST 1851.

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Petitions
brought up.

THE following Petitions were severally brought up,
and laid on the table:--

By Mr. Sanborn,--The Petition of Aaron Workman and
others, of the Township of Hereford, in the District of St. Francis.

By Mr. Holmes,--The Petition of A.F. Spalding and others, members of the
Baptist Church and Congregation assembling in St. Helen Street, in the City of
Montreal.

By Mr. Flint,--The Petition of the Town Council of the Town of Belleville.

Eastern
Townships.

Ordered, That such parts of the Petition of John Moore,
Esquire, and others, of Eaton, Newport, Clifton, and
other Townships in the County of Sherbrooke; the

Petition of the Honorable A. Dionne, President, and others, Shareholders of the
Society for the Colonization of L'Islet and Kamouraska, and others; the Petition
of the Reverend F. Boissonnault, and others, of the Parish of St. Jean Port Joli,
County of L'Islet; the Petition of Olivier Plette and others, of the Parish of
St. Roch, County of L'Islet; and the Petition of the Reverend Z. Sirois, and
others, of the Parish of St. Pierre, Rivière du Sud, County of L'Islet, as relate
to the opening of Roads, be referred to the Select Committee appointed to inquire

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into the causes which prevent or retard the settlement of the Eastern Townships
in the Districts of Three Rivers, St. Francis, and Quebec.

Medical Pro-
fession Bill
(U.C.).

Ordered, That the Bill to incorporate the Medical Profession
in Upper Canada, as reported from the Standing Committee
on Miscellaneous Private Bills, be committed to a
Committee of the whole House, for Monday next.

Law of Evidence
Bill (U.C.).

Ordered, That the Amendments made by the Legislative Council
to the Bill, intituled, "An Act to amend an Act passed
in the twelfth year of Her Majesty's Reign, intituled,

"An Act to improve the Law of Evidence in Upper Canada," be now taken into consid-
eration.

The House proceeded accordingly to take the said Amendments into consideration;
and the same were read, as follow:--

Press 1, line 26. After "that" insert "such party shall be subpoenaed or."

Press 1, line 29. After "notice" insert "or subpoena."

Press 1, line 32. After "proceeding" insert "and a general finding or judgment
may be had against such party thereon, or the Plaintiff may be non-suit" and after
"or" where it occurs the second time, insert "such".

Press 1, line 42. After "Witnesses" insert "and if such party shall refuse to
attend before such Commissioners, such refusal, proved by affidavit or otherwise to
the satisfaction of a Judge of the Court in which the suit is had, shall authorize
a verdict or judgment to pass against such party, or he shall become non-suit:
Provided that no such Commission shall be issued unless the party requiring such
Commission shall state under oath by affidavit the facts intended to be proved
before such Commission, and then the said Judge, after being satisfied that such
Commission is applied for in good faith, and not for purposes of delay, may issue
such Commission."

Press 2, line 4. After "Will" leave out "and" and insert "or."

Press 2, line 10. After "probate" insert "or certificate."

Press 2, line 11. Leave out from "proceeding" to "before" in line 12, and
insert "one month."

Press 2, line 13. After "probate" insert "or certificate."

And the first four Amendments, being read a second time, were agreed to.

The fifth and sixth Amendments being read a second time; and the Question, That this House doth agree with the Legislative Council in the said Amendment, being separately put upon each:--It passed in the Negative.

The seventh Amendment, being read a second time, was agreed to.

The last Amendment being read a second time, and the Question being put, That this House doth agree with the Legislative Council in the said Amendment:--It passed in the Negative.

Apprentices and
Minors Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend the Law relating to Apprentices and Minors," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 16. After "same" insert "as an Apprentice by written indenture."

Press 1, line 20. After "Magistrate" insert "and in any County or Union of Counties it shall and may be lawful for the Chairman of and at any Court of General Quarter Sessions of the Peace."

Press 1, line 21. After "bind" insert "as aforesaid."

Press 1, line 25. Leave out "such" and insert "any," and leave out "as" and insert "who."

Press 3, line 15. Leave out "condemned" and insert "sentenced."

Press 4, line 9. After "provisions" insert "and have the same benefit."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Stevenson do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Canada Guarantee
Company Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the Canada Guarantee Company," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 3, line 5. Leave out from "that" to "the" where it occurs the first time.

Press 3, line 6. Leave out from "be" to "for" and insert "eligible for re-election."

Press 3, line 12. Leave out from "Directors" to "Provided" in line 14.

Press 8, line 28. Leave out from "Banks" to "this" and insert "now doing business in."

Press 8, line 30. After "any" insert "such."

Press 8, line penult. Leave out from "or" to "Vice-President."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Badgley do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

The¹ Territorial Division Bill² came down from the Legislative Council³ with amendments, and a motion was made for concurrence therein.⁴ These alterations were inaudible to the reporters as read by the clerk.⁵

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Territorial Divi-
sions Bill (U.C.).

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to make certain alterations in the Territorial Divisions of Upper Canada," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration;

and the same were read, as follow:--

Press 1, line 38. After "Act" insert "save and except that each County which is now entitled to a Representative in Parliament shall also have a separate Registry Office for the Registration of Titles, and Registers shall be appointed accordingly."

Press 2, line 2. After "Grey" insert "Lambton."

Press 3, line 9. After "changed" insert "Provided always, that any County or Union of Counties under this Act, shall, after this Act shall come into force, be held to be the same Municipality and the same Corporation within the County or Union of Counties which before the coming into force of this Act, had the same Court House, notwithstanding any change of limits or of name affected by this Act, and notwithstanding that it may after the coming into force of this Act be a Union of several Counties, instead of being a single County as theretofore."

Press 9, line 4. After "Murray" insert "Brighton."

Press 10, line 17. Leave out from "Brooke" to "Sombra" in line 18.

Press 10, line 18. Leave out from "Sombra" to "Dawn" and insert "including Walpole Island, St. Ann's Island, and the other Islands at the mouth of the River St. Clair."

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Press 10, line 21. Leave out from "Zone" to "the" where it occurs for the first time in line 24, and in the margin after "Romney" insert "and."

Press 10, line 28. Leave out from "Malahide" to "Bayham" in line 29.

Press 10, line 32. Leave out from "Dorchester" to "Delaware" and from "Delaware" to "Westminster."

Press 11, line ult. Leave out from "Dorchester" to "Pilkington" in Press 12, line 17.

Press 12, line 24. Leave out from "South Orillia" to "Clair" in line 38, and insert "Brighton shall include and consist of all the Lots from Number one to Number ten, both inclusive, in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, and tenth Concessions, and in the broken front of the present Township of Cramahe, and of the Lots from Number twenty-three to Number thirty-five, both inclusive, in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eleventh Concessions, and in the Concessions A and B, and the broken front of the present Township of Murray, and the peninsula of Presqu'isle."

Press 13, line 13. Leave out "Cramahe" and insert "Brighton."

Press 13, line 17. Leave out from "Seymour" to the end of the Schedule, and insert "6. That part of the present Township of North Dorchester lying north of the River Thames, and east of the middle of the road allowance between Lots Number eighteen and nineteen, shall be detached from the said Township and shall be annexed to and form part of the Township of Oxford North."

And the first to the third of the Amendments, being read a second time, were agreed to.

The fourth of the Amendments being read a second time; and the Question being put, That this House doth agree with the Legislative Council in the said Amendment;

Some debate took place on one of the amendments, which was urged by MR. FLINT.⁶ [He] explained that he was absent at the time the bill was passed by this House, and got his amendments embodied in the Upper House.⁷ [The bill] had been introduced by a member of the Council, at his suggestion, in compliance with the wishes of the inhabitants of the district concerned.⁸

MESSRS. H. SHERWOOD, G. SHERWOOD, H. SMITH, (Frontenac) and others ... urged the rejection of the amendment.⁹

MR. H. BOULTON ... condemned the practice of members of the Lower House going to the Upper House to endeavour to get amendments passed that they could not get passed in the Lower House.¹⁰

COL. PRINCE while deprecating the practice of "hugging" members of the other House, to serve particular objects, supported the bill as amended¹¹ by the Council.¹²

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Bouthillier, Burritt, Cameron of KENT, Cartier, Cauchon, Solicitor General Drummond, Dumas, Flint, Fortier, Fourquin, Guillet, Hincks, Holmes, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lyon, Solicitor General Macdonald, Mackenzie, McFarland, Méthot, Mongenais, Morrison, Nelson, Polette, Price, Prince, Ross, Scott of TWO MOUNTAINS, Taché, and Viger.--(36.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Christie, Crysler, Dickson, Hopkins, Macdonald of KINGSTON, Malloch, McConnell, McLean, Robinson, Seymour, Sherwood of BROCKVILLE, Sherwood of FRON-
TENAC, and Stevenson.--(19.)

So it was resolved in the Affirmative.

Then the subsequent Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Message from
the Council.

A Message from the Legislative Council, by John Fennings
Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Primogeniture
Abolition Bill.

Bill, intituled, "An Act to abolish the right of Primogeniture in the succession to Real Estate held in fee simple or for the life of another in Upper Canada, and to provide for the division thereof amongst such of the Relatives of the last proprietor as may best accord with the relative claims of such parties in the division thereof:"

Bill relating to
the Municipality
of Drummond.

Bill, intituled, "An Act to transfer the place of holding the Meetings of the Municipal Council of the Municipality of Drummond, Number Two, from French Village in the Township of Kingsey, to the Village of Stanford, in the said Municipality:" And also,

Penitentiary
Management Bill.

The Legislative Council have passed the Bill, intituled "An Act for the better management of the Provincial Penitentiary," with an Amendment, to which they desire the concurrence of this House.

And then he withdrew.

Penitentiary
Management Bill.

Ordered, That the Amendment made by the Legislative Council to the Bill, intituled, "An Act for the better management of the Provincial Penitentiary," be now taken into consideration.

The House proceeded accordingly to take the said Amendment into consideration, and the same was read, as follow:--

Press 24, line 7. After "shall" insert "come into operation on the first day of October next, and."

The said Amendment, being read a second time, was agreed to.

Ordered, That the Honorable Mr. Price do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendment.

On motion of the Honorable Mr. Price, seconded by Mr. Solicitor General Macdonald,

Post Office Act
Amendment Bill.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to amend the Post Office Act," be now read a second time.

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

Leave of
Absence.

Ordered, That Mr. Egan have leave to absent himself from this House during the remainder of the Session, on urgent private business.

Bill relating to
Chartered Banks.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to exempt the several Chartered Banks from the Tax on their Circulation, on certain conditions.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Bill relating to
the Expenses of
Light Houses.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to repeal the Tonnage Dues imposed for defraying the expenses of maintaining Light Houses, and for other purposes connected with the navigation of

the waters of this Province, and to provide for the payment of such expenses out of the Consolidated Revenue Fund.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,

Military
Pensioners.

Resolved, That this House do now resolve itself into a Committee, to consider the expediency of securing the services of Military Pensioners as a Local Police.

The House accordingly resolved itself into the said Committee.

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Mr. Lyon took the Chair of the Committee;¹³

MR. INSP. GEN. HINCKS moved a series of resolutions to secure the services of military pensioners as a local police.¹⁴ In introducing the resolution¹⁵, he explained that the Imperial Government had made arrangements for sending out here a number of military pensioners ... who would be located in bodies at Toronto, Hamilton, Niagara¹⁶, Amherstburgh, London,¹⁷ and other places, where the Ordnance Department possessed land.¹⁸ The men were to be of good character, and in the prime of life--the oldest not exceeding 45; and he believed they would be found very efficient as an auxiliary force, available in any emergency. It was proposed to give to them a free grant of 50 acres of land, for actual settlement, after the expiration of five years service, as a reward of good conduct.¹⁹

MR. J. CAMERON asked for delay²⁰ as the resolutions had only just been distributed.²¹ A matter of so much importance ... [should] be carefully considered.²²

MR. MERRITT declared that he should oppose the scheme at every stage. He did not want to see Canada made a second Ireland by the introduction of an organized

police force and a standing army; for the latter would follow as a matter of course. Such a plan belonged to the Imperial Government, rather than the Government of a dependency, and was calculated, if once begun, to entail upon the Province very heavy expenses, and proportionate taxation.²³

MR. INSP. GEN. HINCKS said the hon. member did not understand the resolutions as²⁴ it was not intended to entail any expense upon the Province, as the force would receive pay from the Imperial Government as Pensioners. The Province would be put to no expense in regard to them, unless there was occasion to call in their services.²⁵ The great advantage of their presence would be that their services might be had at any moment.²⁶ There was no doubt that²⁷ such a force would have rendered very efficient assistance²⁸ the other day²⁹.

MR. H. BOULTON--Where?³⁰

MR. INSP. GEN. HINCKS--On the Great Western Railway. It was not intended that even in such a case the expense of employing them should be borne by the consolidated revenue fund, but by the municipality, city, or town that required their assistance. He looked upon the plan as likely to prove a great boon to the Province.³¹

MR. H. BOULTON opposed the proposition. It was an attempt to establish a standing military force.³² [He] said if there was not employment for these men as a police force, it was wrong to deceive them by holding out false inducements.³³ To offer 50 acres a piece for them was to hold an inducement for them to come, without which they would remain at home.³⁴ On the other hand, if we do want them they would form the beginning to the system to which the member for Lincoln had objected--Railway Companies should be held responsible for the preservation of order along their lines.³⁵

MR. INSP. GEN. HINCKS said the men were coming out under a proposition emanating from the Provincial Government, who desired to be able to avail themselves of their services. Similar men were being sent to other Provinces; and he knew that the Government of New South Wales had offered a premium of £18 per head³⁶ to entice them into that colony.³⁷

MR. CAYLEY said that expense would be some £2,500 a year, which was a tax though a moderate tax for a military force.³⁸ But giving these pensioners fifty acres of land each, might in the end amount to a very serious tax.³⁹

MR. H. BOULTON did not think these a desirable class to be brought to this country, they were an amphibious class--half soldiers, half citizens, who would arrive here at a time of life when they were unfit for active industry, who would neither make an efficient force nor good settlers.⁴⁰ If any force were needed, he should prefer the organization of voluntary companies of militia. The force proposed would be of the hermaphrodite kind--neither soldiers nor settlers; and occupying a position that could not fail to exercise a prejudicial influence in the Province.⁴¹

MR. J. SMITH (Durham) concurred in the remarks of the member for Norfolk⁴² [and] said it would be better to raise a force, if necessary, in this country. As a class, these pensioners would be far from making good or desirable settlers.⁴³ No class could be worse fitted for the duties of settlers than these pensioners.⁴⁴

MR. SOL. GEN. DRUMMOND explained that the men would be sent out at any rate; and contended that the Province should avail itself of their services.⁴⁵ [He] said a police force to be efficient ought to be trained, which these pensioners had already been, and therefore they would be a great advantage to the country. Fortunately occasions were not frequent when the services of such men were required, but such occasions did occur, and these men could be had for one twentieth, perhaps one hundredth part of what it would cost to train men here. A notion seemed to

prevail that...they were old men. Such was not the case. They were only from 30 to 45 years of age.⁴⁶

MR. ROBINSON thought that the efficiency of these men, as a police force, had been overrated. Moreover, he saw difficulties in regard to their ability to procure a living, unless greater aid be rendered to them than was at present contemplated.⁴⁷ [He] wished to know how these pensioners were to be supported.⁴⁸

MR. INSP. GEN. HINCKS--They have pensions.⁴⁹

MR. ROBINSON knew that they had pensions, but not what would be sufficient to support them.⁵⁰

MR. BADGLEY objected to a force that would be neither police nor soldiers, and⁵¹ [he] thought they would become partisans rather than police men.⁵²

MR. W. BOULTON expressed the same view.⁵³

MR. MERRITT opposed the motion,⁵⁴ [which he] deemed...unnecessary. Nothing of the kind was needed on any of the great public works which were constructed before the Union, and he believed that its introduction now would prove a curse to the colony.⁵⁵ We have at all time found the civil force sufficient to put down all disturbances, and to keep the peace. There was not a police force in any other country on this continent. He was opposed to paying a farthing out of the provincial funds, if a police force be ever wanted, let the expenses be paid by the municipalities.⁵⁶

MR. MACKENZIE fully agreed with the last speaker. He detested the idea of a force of the kind.⁵⁷ He had had some experience in mobbing, but would again run the risk of it rather than set up a half-and-half force of this kind.⁵⁸ He would stand his chance of all the mobs that could be raised in Toronto to the day of his death, before he would vote for this proposal.⁵⁹ The measure...was not merely to appoint these people as a Police Force, but it was intended also to make the others Justices of the Peace, so that they, coming from Europe, without any Provincial control might shoot down the citizens at their own will.⁶⁰ If they must be had, let them not be paid out of the general revenue, but by the municipality that may require their service.⁶¹

MR. AT. GEN. BALDWIN reminded the member for Lincoln that since the Union the Province had frequently been put to considerable expense to put down disturbances and maintain peace at public works.⁶² [He] was opposed to all unnecessary increase of the public expenditure, but the great public works about to go into operation would bring together a large mass of people, and some force would be necessary to keep the peace. Already that necessity had arisen in the west.⁶³ He believed that the course now proposed would be found to meet the exigency, without entailing any expense upon the Province as a whole. The companies which require the services of a police force, should be required to bear the expense of employing them.⁶⁴ It must, too, be plain that persons trained to their business must be far more efficient than men without training. For these reasons he thought the present propositions most desirable to be carried.⁶⁵ If this proposition were rejected, the country would be put to great expense for the occasional services of a local force, in times of emergency. It was necessary to do more than put down a disturbance, it was necessary to show the riotously disposed that you are prepared to put down all future attempts at disturbance. If the house believed that the great public works could be carried on without any disturbance, they would reject the proposition.⁶⁶

MR. W. BOULTON protested against the proposal on the grounds of expense.⁶⁷

MR. INSP. GEN. HINCKS said there would be no expense at all. The parties would be in readiness to put down disturbances. It was a mistake to suppose that this proposal came from the Imperial government. The Imperial government, had

nothing to do with it. He knew the position in which the government had been placed within the last three months in relation to a force to keep peace on the Great Western Railroad.--As a police force these pensioners had been found of the greatest use in Great Britain.⁶⁸

MR. MACKENZIE pointed out that⁶⁹ the system proposed to be established by the resolutions was entirely different from that in England. It was proposed that the Captain or Commander of the forces should be a magistrate and have power to order his forces to fire without the intervention of any other party⁷⁰ and such a fact could not be contemplated without apprehension or dislike.⁷¹

MR. M. CAMERON did object strongly⁷². [He] said a more absurd scheme was never conceived than that of sending out⁷³ these old men⁷⁴, pensioners from England, and locating them in the neighborhood of our towns on small patches of land. It was a scheme to which he objected as dangerous in itself, and as sure to lead to disappointment on the part of the pensioners themselves.⁷⁵ How any officer could ever have thought of bringing these people out and settling them on small lots of land at Penetanguishene, Amherstburg, &c., he could not conceive. That was one objection. Another was that which had been so well put by Justices of the Peace of officers of the army, who would thus be constantly brought into collision with the people, and cause a great deal of dissatisfaction. On those two grounds he would vote against the resolutions.⁷⁶

MR. INSP. GEN. HINCKS in answer to the member for Haldimand said it was not at all a necessary part of the system that the persons having the command of these pensioners should be magistrates.⁷⁷

MR. M. CAMERON said that would remove one of his principal objections. He thought that the Inspector General would do well so as to alter the resolutions that they should apply to other persons as well as pensioners,⁷⁸ country labourers for instance⁷⁹--that was, so far as employment as a police force was concerned.⁸⁰ [He] suggested that if the resolutions were so altered as not to hold out any special inducement to these pensioners he would vote for them. Why mention their names?⁸¹

MR. INSP. GEN. HINCKS was understood to express compliance; remarking, however, that no other class would act on the⁸² favourable⁸³ terms that were laid down.⁸⁴ He had no objection to alter the resolutions if the object could still be attained.⁸⁵ The hon. gentleman went on to point out the advantage that would have been derived had such a force been available for the protection of the inhabitants of Dundas and the neighborhood, on recent occasions.⁸⁶

MR. MERRITT pointed to the experience of the United States, to show that great works could be carried on without such a force as it was now proposed to create.⁸⁷ [He] said our militia were doing nothing, and were at present of no use. He proposed to arm the volunteer corps and the peace of this country would be maintained. That system maintains the peace among twenty six millions of people in the neighboring States.⁸⁸ [He] thought the true principle was to let voters fight it out as they did in Philadelphia some years ago, since which there had never been a riot there. In the United States these disturbances were kept down by the militia, and if there were volunteer companies here, the militia would keep down the riots here. At Dundas,⁸⁹ on the Niagara frontier,⁹⁰ he learned that⁹¹ burnings, disturbances, and pillages⁹² were continually going on,⁹³ [and] there were constant collision[s] between the newly raised police and the rioters, and so there would be in case these pensioners were employed because⁹⁴ they were got up he believed for no other purpose than that of inducing the belief that the continuance of the⁹⁵ special⁹⁶ force was necessary.⁹⁷

MR. COM. CR. LANDS PRICE was astonished at the arguments of the member for

Haldimand.⁹⁸ [He] spoke of the ministry as an ignorant body of men, who, when trusted with a gun, would be as likely to injure themselves as any body else. He also⁹⁹ referred to cases in which the military had been called out to put down disturbances got up against that member¹⁰⁰, [such as] the riot that disgraced this city on the return of the member for Haldimand in 1849, to the outrages that were perpetrated at his own election in 1841; to the late disturbance in other parts of the province¹⁰¹. Did any body believe that such a riot as that which occurred here¹⁰² at the St. Lawrence Hall¹⁰³ a few days ago could have taken place¹⁰⁴ in any part of the United Kingdom.¹⁰⁵ The reason of its occurring here was that we have a constabulary force on which it is impossible to depend.¹⁰⁶ [These references were made] to prove that the force proposed was needed, and should be hailed as a great advantage to the whole community.¹⁰⁷

MR. ROSS supported the resolutions. An undisciplined military force was entirely useless¹⁰⁸ [and he] recognized in the circumstances of the country abundant reasons for agreeing to the resolutions.¹⁰⁹

MR. W. BOULTON entered at some length into a description of the riot which occurred at the Clergy Reserves meeting.¹¹⁰ [He] hereupon read from a paper¹¹¹ which he styled the new organ of the Government, and which, he said represented the disturbance as a very trifling affair, and¹¹² in which it was stated that the alleged riot was a contemptible row¹¹³ altogether unworthy of the notice which had been taken of it.¹¹⁴ The people who were present at the St. Lawrence Hall [were] a set of miserable cowards who skulked behind the dresses of the women. He had just heard Mr. Prince's account--that was the account of the Government organ.¹¹⁵

A Voice--What paper?¹¹⁶

MR. W. BOULTON the Mirror. (Loud laughter).¹¹⁷

MR. COM. CR. LANDS PRICE attempted to answer this sally, but was constantly met by cries of the government organ and loud laughter.¹¹⁸ [He] was astonished that the hon. member could look upon this as a trifling affair when the Mayor of the city had been injured so much that a reward of £50 was offered for the offender and that on the occasion referred to clergymen, and gentleman and ladies were assembled to discuss a subject in which they were interested, and they were kept prisoners and were assailed, and were under the apprehension that injury would be inflicted. It was indeed a current report that if Mr. Brown had ventured down, he would have been murdered.¹¹⁹

MR. H. SMITH (Frontenac).--Oh no, only tarred and feathered, that's all.¹²⁰

MR. COM. CR. LANDS PRICE (very indignantly)--The hon. member for Frontenac says he would have been tarred and feathered, that's all. He would palliate in the 19th century and in a christian country such a monstrous proceeding, and say that any man taking a prominent part in a public discussion might be tarred and feathered, that's all; and the junior member reads from what he calls the new organ of the government and calls it a little affair. He would ask--does the junior member believe the statements he has been quoting?¹²¹

MR. W. BOULTON--Yes, I do believe that this city has been maligned.¹²²

MR. COM. CR. LANDS PRICE--I ask the hon. member if he believes that the statement that it was a little affair is correct.¹²³

MR. W. BOULTON--Yes, I believe it.¹²⁴

MR. COM. CR. LANDS PRICE. How then did it happen that the military were called out, and in a city like this where a number of persons met together for the discussion of an important subject that these persons were besieged in the heart of the city and all the powers of the city could not disperse the ruffians who had assailed the meeting.¹²⁵

MR. W. BOULTON--They were suppressed.¹²⁶

MR. COM. CR. LANDS PRICE--Yes they were suppressed, but not by the authorities. They had not the power and they seemed not to have the inclination to do so. He would say that an outrage had been committed, that would have disgraced any city under Heaven, and no person was safe unless he belonged to a particular party, and the party were those who were causing all the outrage.¹²⁷

MR. H. SHERWOOD said that the disturbance on a recent occasion was censurable; but had been greatly magnified.¹²⁸ [He] alluded to the part he took in the meeting and considered there was no necessity at all for calling out the military on the occasion. He was Mayor of the city of Toronto for three successive years, and during that time had seen riots a thousand times more formidable than the one referred to; and he had been able to put these down by calling out special constables.¹²⁹ On the occasion of¹³⁰ the Governor General¹³¹ Lord Elgin's visit to this city, there was¹³² an excitement a thousand times greater than that of Wednesday evening alluded to¹³³ which was checked by¹³⁴ the course he took as senior magistrate¹³⁵, [that of] having a proper array of special constables, and watching those special constables to keep them to their duty.¹³⁶ He did not call the military out but he had his special constables sworn in and placed in different parts of the city, and ready to be called together and to act upon any emergency and the whole thing passed over, and his exertions gave general satisfaction. He did not believe there was any necessity whatever for calling out the military on that evening, nor any more necessity to read the Riot Act than there would be to read it at this moment in this House. He did not think the Mayor at all justifiable in calling out the military that night. He would not palliate the conduct of the parties assembled--it was dishonourable, and they deserved punishment, but if the Mayor apprehended a difficulty, he should have prepared himself with a force of special constables that he could have depended upon. He felt that the calling out the military reflected upon the peaceable character of this city, and he thought they had been injured materially by the course the chief magistrate took, and by his not being prepared to repel any assault that might take place. He did not believe that the indiscreet people assembled at St. Lawrence Hall intended to commit mischief--he thought they only meant to make a noise and cheer and annoy the meeting with their vociferations. He was at the open air meeting and addressed his constituents there; and what he said had been published and he was willing to abide by it.¹³⁷ As to the present proposition¹³⁸ he concurred in the resolutions; if the Imperial Government desired to settle the Pensioners here, he had no objection to it. If it fell to his lot again to be chief magistrate of this city, it was not military force¹³⁹ or pensioners¹⁴⁰ he would have recourse to in quelling any disturbance¹⁴¹ but to the cool respectable portion of the inhabitants.¹⁴²

COL. PRINCE said, there can be no doubt that Toronto is a peaceable city; but this debate had brought down thunders upon the head of the poor Mayor. It was a singular fact that in no debate that had taken place for several weeks past had they the credit of speaking to the Question. If the Mayor had mistaken his duty, the mistake had been on the right side of the question, and he did wisely in the course he took; because it prevented a great deal of mischief. He concurred in the resolutions, as he considered the pensioners would make an efficient force to quell any disturbance that might arise.¹⁴³

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lyon reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,
Currency Act.

Resolved, That this House do now resolve itself into a
 Committee, to consider the expediency of amending
 the Currency Act 4 & 5 Vic. cap. 93, with a view to the adoption of a Decimal
 Currency, the extension of the provisions of the Act to certain Foreign Coins
 coined after its passing, and other matters.

The House accordingly resolved itself into the said Committee.

Mr. Morrison took the Chair of the Committee;¹⁴⁴

MR. INSP. GEN. HINCKS said he was about to submit two distinct propositions; the
 first to make certain coins a legal tender which were not so now; the other involved
 an entire change in the currency, which was intended to be a decimal currency, and
 uniform throughout the North American Colonies, the gentlemen who were recently in
 Toronto from the Eastern Provinces had shown their desire to carry out this design.
 As to the latter of these propositions, perhaps gentlemen would not be prepared to
 discuss it that night, and he would allow the Committee to rise and report progress.¹⁴⁵

MR. CAYLEY hoped the present propositions would not lead to another rap over the
 knuckles, such as the Legislature had received from Downing Street.¹⁴⁶

MR. INSP. GEN. HINCKS acknowledged the rap over the knuckles, and admitted it
 was his own knuckles which had received the principal force of the blow. However,
 gentlemen would see that if he had received a rap, he had returned it, and he was
 perfectly well satisfied with the position in which the affair now stood, as he
 thought that these gentlemen would be now convinced that they were not altogether
 infallible.¹⁴⁷

MR. MACDONALD [Kingston] was glad to hear the Inspector General's last remark;
 for a more insolent communication than the first one signed Trevelyan, on this
 subject, it was impossible to conceive.¹⁴⁸

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Morrison reported, That the Committee had come to several Resolutions;
 which were read, as follow:--

1. Resolved, That it is expedient to extend the provisions of the fourth,
 fifth, and seventh Sections of the Currency Act 4 & 5 Vic.
 cap. 93, to Silver and Gold Coins of the United States of America coined since the
 commencement of the year 1841, and before the first day of July in the present year
 1851, so that the said Silver Coins shall pass current at the same rates as those
 coined before the end of the year 1840, and the said Gold Coins at the same rates
 as those coined before the end of the said year, and after the 1st July, 1834.

2. Resolved, That it is expedient to empower the Governor of this Province to
 extend the provisions of the fourth and fifth Sections of
 the said Act, to any Gold and Silver Coins of the United States of America coined
 after the said first day of July, 1851, in like manner and on like conditions as he
 may now extend the provisions of the sixth, seventh, and eighth Sections of the
 said Act to the Gold and Silver Coins of certain Nations coined after the periods
 therein mentioned.

3. Resolved, That it is expedient to pass an Act amending the said Currency
 Act, in the manner mentioned in the foregoing Resolutions.

The said Resolutions, being read a second time, were agreed to.

Mr. Morrison also reported, That the Committee had directed him to move for
 leave to sit again.

Ordered, That the Committee have leave to sit again, on Tuesday next.

Private Lunatic Asylums Bill.

Ordered, That Mr. Solicitor General Macdonald have leave to bring in a Bill for the regulation of Private Lunatic Asylums.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Bill relating to Lunatics.

Ordered, That Mr. Solicitor General Macdonald have leave to bring in a Bill to authorize the confinement of Lunatics in cases where their being at large may be dangerous to the Public.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Administration of Justice (U.C.).

The Honorable Mr. Baldwin moved, seconded by the Honorable Mr. Price, That this House will immediately resolve itself into a Committee, to consider the expediency of making provision out of the County Fee Fund and Consolidated Revenue Fund of the Province, for the necessary expenses of the administration of Justice in the unsurveyed Tracts of Country in Upper Canada;

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject matter of this Motion, recommends it to the consideration of the House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Chauveau took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chauveau reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

Currency Act Amendment Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to extend the provisions of the Currency Act to certain Gold and Silver Coins coined after the

periods in the said Act limited.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Municipal Corporations Act (U.C.) Amendment Bill.

The Order of the day for the second reading of the Bill to amend the Upper Canada Municipal Corporations Act of 1849, by adapting the same to the late change in the Upper Canada Assessment Laws, and for other purposes relating to the Municipal Corporations of that section of the Province, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

Ordered, That the Resolution of this House, of Thursday the 17th ultimo, That it is expedient to make provision out of the County Court Fee Fund and Consolidated Revenue Fund of this Province, for remunerating such Recorders of Cities as may be empowered by law to hold the Division Courts of such Divisions of the Counties or Union of Counties within the Circuits of which such Cities may respectively lie, or any other Court of Civil Jurisdiction having jurisdiction over such City or the liberties thereof, be referred to the said Committee.

Ordered, That it be an Instruction to the Committee to insert a Clause in the said Bill in accordance with the said Resolution.

Jurors Act (U.C.)
Amendment Bill.

The Order of the day for the second reading of the Bill to amend the Upper Canada Jurors Act of 1850, and to make some further provisions for the better accomplishment of the object thereof, being read;

The Bill was accordingly read a second time; and committed to Committee of the whole House, for Tuesday next.

Agricultural Soci-
eties (U.C.)
Organization Bill.

The Order of the day for the second reading of the Bill to provide for the better organization of Agricultural Societies in Upper Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

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Stevens' Attainder
Reversal Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to reverse the Attainder of Aaron Stevens, and avoid the forfeiture of certain of his estates, and for other purposes therein mentioned," being read;

The Bill was accordingly read a second time; and ordered to be read a third time on Tuesday next.

Indians (L.C.)
Property Protec-
tion Bill.

The Order of the day for the second reading of the Bill to amend the Act for the better protection of the Lands and Property of the Indians in Lower Canada, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Registration of
Deeds Bill (L.C.).

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," being read;

The Bill was accordingly read a second time; and referred to the Select Committee on the Bill to amend the Registry Ordinance of Lower Canada.

Ordered, That it be an Instruction to the Committee to consolidate the said Bills into one, if they see fit.

Ordered, That Mr. Solicitor General Drummond be added to the said Committee.

Public Works
Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act for the further amendment of the Laws relating to the Public Works in this Province," being read;

The Bill was accordingly read a second time; and ordered to be read the third time to-morrow.

Kamouraska and
Aylmer Court
Houses and Gaols
Bill.

The Order of the day for the second reading of the Bill to appropriate all monies accruing out of Tavern Licenses in the Counties which form the District of Kamouraska, and in the County of Ottawa, towards defraying the cost of the Court House and Gaol now being erected at Aylmer, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

MR. SOL. GEN. DRUMMOND¹⁴⁹ moved the second reading of the bill for the regulation of Tavern Licenses and the suppression of intemperance in Lower Canada--¹⁵⁰.

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Tavern Keepers
&c. Licenses Bill.

The Order of the day for the second reading of the Bill to make better provision for granting Licenses to

Keepers of Taverns and Dealers in Spiritous Liquors in Lower Canada, and for the more effectual repression of Intemperance, being read;

In explaining the bill MR. SOL. GEN. DRUMMOND...stated that he proposed to repeal the act which had been passed last session, which had been found entirely useless in operation, and had failed of its object. He did not believe that intemperance could be suppressed by legislation or prosecution. He denied that he had approved of it, though his name had been connected with it. It had had the effect of lessening the number of licensed taverns; but increasing to a fearful extent low unlicensed grog shops. In one street in Montreal where there were 30 licensed taverns formerly, there were now only four; but at all these places formerly licensed liquor was sold without license. He made some further remarks on this point. After explaining some of the extraordinary provisions of the present law he said that he proposed to repeal it from beginning to end. He proposed to lower the rate of license to £5, besides the imperial duty, which in currency came to £7. He proposed to make a difference in the kinds of taverns. Those where brandy, rum, &c., were sold would be the highest. Those where only wine and fermented liquors were sold £2 10s, besides imperial duty. And temperance taverns, at the low rate of £1. He proposed that the Inspector should appoint a deputy for the purpose of examining into and prosecuting all infringements of the law. He read from the Temperance Advocate in support of the views he had stated with respect to the best means of suppressing intemperance. With respect to the granting of certificates, he proposed that the power should be vested in the Municipal Councils, the applicants, before applying to them, to get the recommendation of six Municipal electors. Where there was no Municipal Council, the Mayor should have the power of granting the certificate; or, where there was no Mayor, he proposed to give this power to three Magistrates. He concluded by stating that he proposed to make very stringent provisions for infringement of the laws.¹⁵¹

MR. CAUCHON¹⁵² (in French)¹⁵³ objected to repealing the clause of the present law with respect to granting certificates.¹⁵⁴

MR. BADGLEY made some remarks on some of the details of the bill.¹⁵⁵

MR. SANBORN severely condemned the present law, as worse than useless. He approved of the present bill, but would suggest some improvement of details when it went into committee. But with respect to the granting of certificates by the Municipalities, he looked upon this as the best clause of the bill, as it placed power in the hands of the people.¹⁵⁶

MR. SOL. GEN. DRUMMOND replied, admitting the justice of Mr. Badgley's remarks, and his pleasure in Mr. Sanborn's approval of the bill.¹⁵⁷

Motion carried without a division.¹⁵⁸

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The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

Supply.

Mr. Johnson, from the Committee of Supply, reported several Resolutions; which were read, as follow:

Militia.

1. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, for the Salaries of two Deputy Adjutants General of Militia, for the year 1851.

2. Resolved, That a sum, not exceeding Four hundred and ninety pounds, currency, be granted to Her Majesty, for the Salary of a Messenger in the Offices of the Deputy Adjutants General of Militia, for the year 1851.

3. Resolved, That a sum, not exceeding Sixty-six pounds, currency, be granted to

Her Majesty, for the Salary of a Messenger in the Offices of the Deputy Adjutants General of Militia, for the year 1851.

4. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, for the Contingent Expenses of Printing, Postage, Stationery, &c., for the Offices of the Deputy Adjutants General of Militia, for the year 1851.

5. Resolved, That a sum, not exceeding Two hundred pounds, currency, be granted to Her Majesty, for the Salary of one Provincial Aide-de-Camp, for the year 1851.

Legislative
Council.

6. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, for the Salary of the Speaker of the Legislative Council, for the year 1851.

7. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, for the Salary of the Clerk of the Legislative Council, for the year 1851.

8. Resolved, That a sum, not exceeding Four hundred pounds, currency, be granted to Her Majesty, for the Salary of the Assistant Clerk and French Translator of the Legislative Council, for the year 1851.

9. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, for the Salary of the Law Clerk of the Legislative Council, for the year 1851.

10. Resolved, That a sum, not exceeding Two hundred pounds, currency, be granted to Her Majesty, for the Salary of the Chaplain and Librarian of the Legislative Council, for the year 1851.

11. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for the Salary of the Gentleman Usher of the Black Rod, for the year 1851.

12. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for the Salary of the Serjeant at Arms to the Legislative Council, for the year 1851.

13. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for the Salary of the Head Messenger to the Legislative Council, for the year 1851.

14. Resolved, That a sum, not exceeding Sixty pounds, currency, be granted to Her Majesty, for the Salary of the Doorkeeper to the Legislative Council, for the year 1851.

15. Resolved, That a sum, not exceeding One hundred and thirty-five pounds, currency, be granted to Her Majesty, for the Salaries of three Messengers to the Legislative Council, at Forty-five pounds each, for the Session of 1851.

16. Resolved, That a sum, not exceeding Four thousand five hundred pounds, currency, be granted to Her Majesty, for the Contingent Expenses of the Legislative Council, for the year 1851.

Legislative
Assembly.

17. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, for the Salary of the Speaker of the Legislative Assembly for the year 1851.

18. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, for the Salary of the Clerk of the Legislative Assembly, for the year 1851.

19. Resolved, That a sum, not exceeding Four hundred pounds, currency, be granted to Her Majesty, for the Salary of the Assistant Clerk of the Legislative Assembly, for the year 1851.

20. Resolved, That a sum, not exceeding Three hundred and fifty pounds, currency, be granted to Her Majesty, for the Salary of the English Translator and Law Clerk of the Legislative Assembly, for the year 1851.
21. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be
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granted to Her Majesty, for the Salary of the French Translator of the Legislative Assembly, for the year 1851.
22. Resolved, That a sum, not exceeding One hundred and fifty pounds, currency, be granted to Her Majesty, for the Salary of the Clerk of the Crown in Chancery, for the year 1851.
23. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for the Salary of the Serjeant at Arms of the Legislative Assembly, for the year 1851.
24. Resolved, That a sum, not exceeding Thirty thousand pounds, currency, be granted to Her Majesty, for the Contingent Expenses of the Legislative Assembly, (exclusive of Indemnity to Members,) for the year 1851.
- Late Legislative Bodies of Upper and Lower Canada. 25. Resolved, That a sum, not exceeding Sixty-six pounds thirteen shillings and four pence, currency, be granted to Her Majesty, for the Pension of William Ginger, as late Serjeant at Arms to the Legislative Council of Lower Canada, for the year 1851.
26. Resolved, That a sum, not exceeding Twenty pounds, currency, be granted to Her Majesty, for the Pension of Louis Noreau, as late Messenger to the Legislative Council of Lower Canada, for the year 1851.
27. Resolved, That a sum, not exceeding Eighteen pounds, currency, be granted to Her Majesty, for the Pension of Pierre Lacroix, as late Messenger to the Legislative Council of Lower Canada, for the year 1851.
28. Resolved, That a sum, not exceeding Sixty-six pounds thirteen shillings and four pence, currency, be granted to Her Majesty, for the Pension of Louis B. Pinguet, as late Clerk of Committees of the House of Assembly of Lower Canada, for the year 1851.
29. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for the Pension of Samuel Waller, as late Clerk of Committees of the House of Assembly of Lower Canada, for the year 1851.
30. Resolved, That a sum, not exceeding One hundred and thirty-three pounds six shillings and eight pence, currency, be granted to Her Majesty, for the Pension of William Coates, as late Writing Clerk to the House of Assembly of Upper Canada, for the year 1851.
31. Resolved, That a sum, not exceeding Eighteen pounds, currency, be granted to Her Majesty, for the Pension of François Roderigue, as late Messenger to the House of Assembly of Lower Canada, for the year 1851.
32. Resolved, That a sum, not exceeding Twenty pounds, currency, be granted to Her Majesty, for the Pension of John Bright, as late Messenger to the Legislative Council of Upper Canada, for the year 1851.
33. Resolved, That a sum, not exceeding Eighteen pounds, currency, be granted to Her Majesty, for the Pension of Louis Gagné, as late Messenger to the House of Assembly of Lower Canada, for the year 1851.
- J. Brien. 34. Resolved, That a sum, not exceeding Twenty pounds, currency, be granted to Her Majesty, for the Pension of Jacques Brien, for wounds received in the Public Service, for the year 1851.

Mrs. Powell.

35. Resolved, That a sum, not exceeding Thirty-five pounds, currency, be granted to Her Majesty, for the Pension of

Mrs. Margaret Powell, as late Keeper of the Public Offices, Toronto, for the year 1851.

36. Resolved, That a sum, not exceeding Twenty pounds, currency, be granted to Her Majesty, for an Allowance to Mrs. Margaret Powell, in lieu of Rooms occupied by her in the Public Buildings at Toronto, for the year 1851.

Mrs. McDonell.

37. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, for the allowance to

Mrs. McDonell, on her claim for Dower on certain property taken by Government through the Welland Canal Commissioners, during her life, for the year 1851.

A. Hamel and wife.

38. Resolved, That a sum, not exceeding Twenty-five pounds, currency, be granted to Her Majesty, for an Allowance to Antoine Hamel and his wife, for the use of their Land on Anticosti for the service of the Trinity House, for the year 1851.

Hospitals and other Charitable Institutions.

39. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, for the relief of Foundlings and Indigent Sick Persons in the District of Quebec, for the year 1851.

40. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, for the relief of Foundlings and Indigent Sick Persons in the District of Montreal, for the year 1851.

41. Resolved, That a sum, not exceeding Seven hundred pounds, currency, be granted to Her Majesty, for the relief of Foundlings and Indigent Sick Persons in the District of Three Rivers, for the year 1851.

42. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, as an Aid to the Corporation of the General Hospital at Montreal, for the year 1851.

43. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Managers of the Protestant Female Orphan Asylum at Quebec, for the year 1851.

44. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Ladies Benevolent Society of Montreal, for Widows and Orphans, for the year 1851.

45. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Roman Catholic Orphan Asylum at Quebec, for the year 1851.

46. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Montreal Protestant Orphan Asylum, for the year 1851.

47. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Male Orphan Asylum at Quebec, for the year 1851.

48. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Charitable Association of the Ladies of the Roman Catholic Asylum at Montreal, for the year 1851.

49. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the University Lying-in Hospital at Montreal, for the year 1851.

50. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Lying-in Hospital under the care of the Soeurs de la Miséricorde, for the year 1851.

51. Resolved, That a sum, not exceeding Five thousand pounds, currency, be granted to Her Majesty, as an Aid towards the support of the Lunatic Asylum at Toronto, for the year 1851.

52. Resolved, That a sum, not exceeding Five thousand pounds, currency, be granted to Her Majesty, as an Aid to the Temporary Lunatic Asylum at Beauport, near Quebec,

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for the year 1851.

53. Resolved, That a sum, not exceeding Two hundred and thirteen pounds three shillings and eleven pence, currency, be granted to Her Majesty, for the Temporary Lunatic Asylum at Beauport, near Quebec, balance due on the expenditure of last year.

54. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, as an Aid to the Hamilton Hospital, for the year 1851.

55. Resolved, That a sum, not exceeding Seven hundred and fifty pounds, currency, be granted to Her Majesty, as an Aid to the Toronto General Hospital, for the year 1851.

56. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, as an Aid to the Toronto House of Industry, for the year 1851.

57. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, as an Aid for the relief of Indigent Sick at Kingston, for the year 1851.

58. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, as an Aid to the Kingston General Hospital, for the year 1851.

Public
Institutions.

59. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, as an Aid to the Medical Faculty of McGill College at Montreal, for the year 1851.

60. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, as an Aid to the School of Medicine at Montreal, for the year 1851.

61. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, as an Aid to the School of Medicine at Quebec, for the year 1851.

62. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Literary and Historical Society at Quebec, for the year 1851.

63. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Natural History Society at Montreal, for the year 1851.

64. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Mechanics Institute at Quebec, for the year 1851.

65. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Mechanics Institute at Montreal, for the year 1851.

66. Resolved, That a sum, not exceeding Fifty pounds currency, be granted to Her Majesty, as an Aid to the Mechanics Institute at Kingston, for the year 1851.

67. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Mechanics Institute at Toronto, for the year 1851.

68. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Mechanics Institute at London, Canada West, for the year 1851.

69. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Mechanics Institute at Niagara, for the year 1851.

70. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Athaeneum at Toronto, for the year 1851.

71. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, as an Aid to the Provincial Agricultural Association of Upper Canada, for the year 1851.

72. Resolved, That a sum, not exceeding Six hundred pounds, currency, be granted to Her Majesty, as an Aid to the Provincial Agricultural Association of Lower Canada, for the year 1851.

Administration
of Justice.

73. Resolved, That a sum, not exceeding Thirty thousand pounds, currency, be granted to Her Majesty, for the Contingent Expenses of the Administration of Justice in Upper and Lower Canada, not otherwise provided for, for the year 1851.

74. Resolved, That a sum, not exceeding Five thousand pounds, currency, be granted to Her Majesty, towards the support of the Provincial Penitentiary at Kingston, for the year 1851.

75. Resolved, That a sum, not exceeding Four thousand pounds, currency, be granted to Her Majesty, for the Salaries of four Judges in Lower Canada, over and above those provided for in the Civil List, for the year 1851.

76. Resolved, That a sum, not exceeding One hundred and ninety-four pounds nine shillings, currency, be granted to Her Majesty, for an addition to the Salary of the Provincial Judge, District of St. Francis, for the year 1851.

Deputy Provincial Registrar. &c.

77. Resolved, That a sum, not exceeding One hundred and sixteen pounds thirteen shillings, currency, be granted to Her Majesty, towards paying the Salary of the Deputy Provincial Registrar, and French Translator to Government,

for the year 1851.

Depots of
Provisions.

78. Resolved, That a sum, not exceeding Two hundred pounds, currency, be granted to Her Majesty, for the Allowance of Keepers of Depots of Provisions on the River St. Lawrence, for the relief of Shipwrecked persons, for the year 1851.

79. Resolved, That a sum, not exceeding One hundred and fifty pounds, currency, be granted to Her Majesty, for the purchase of Provisions for the Depots on the River St. Lawrence, for the relief of Shipwrecked persons, for the year 1851.

P. Brochu.

80. Resolved, That a sum, not exceeding Twenty-five pounds, currency, be granted to Her Majesty, for the Allowance to

Pierre Brochu for residing on the Kempt Road to assist Travellers on that Road, for the year 1851.

J. Noble.

81. Resolved, That a sum, not exceeding Twenty-five pounds, currency, be granted to Her Majesty, for the Allowance to

Jonathan Noble for residing on the Kempt Road to assist Travellers on that Road, for the year 1851.

Printing.

82. Resolved, That a sum, not exceeding Six thousand pounds, currency, be granted to Her Majesty, for Printing

the Laws, and other Printing for the Public Service, for the year 1851.

Laws.

83. Resolved, That a sum, not exceeding Six hundred pounds, currency, be granted to Her Majesty, for the distribution

of the Laws, for the year 1851.

Public Buildings.

84. Resolved, That a sum, not exceeding Two thousand five hundred pounds, currency, be granted to Her Majesty, for the ordinary repairs, alteration, rent, insurance, and care of Public Buildings, for the year 1851.

Unforeseen Expenses.

85. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, to meet Unforeseen Expenses in the various branches of the Public Service, for the year 1851.

Clerk of the Crown in Chancery.

86. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for the Contingent Expenses of the Office of the Clerk of the Crown in

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Chancery, for the year 1851.

Light Houses.

87. Resolved, That a sum, not exceeding Seven hundred and fifty pounds, currency, be granted to Her Majesty, for the proportion of this Province of the expense of keeping up Light Houses on the Isles of St. Paul and Scatterie, in the Gulf of St. Lawrence, for the year 1851.

Commissioners of Enquiry.

88. Resolved, That a sum, not exceeding Two hundred pounds, currency, be granted to Her Majesty, to defray the Expenses of the Commissioners who may be appointed under the authority of the Act 9 Vic. cap. 38, for enquiring into matters connected with the Public Service, and taking Evidence on Oath, for the year 1851.

Quebec Observatory.

89. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, to defray Expenses of the Observatory at Quebec, for the year 1851.

Public Offices.

90. Resolved, That a sum, not exceeding One hundred and seventy five pounds, currency, be granted to Her Majesty, for the Salary of W. R. Wright, as Clerk in the Office of the Provincial Secretary, for the year 1851.

91. Resolved, That a sum, not exceeding Twenty-five pounds, currency, be granted to Her Majesty, for the addition to the Salary of J. Drysdale, Clerk in the Office of the Inspector General, for the year 1851.

92. Resolved, That a sum, not exceeding Sixty-six pounds, currency, be granted to Her Majesty, for the Salary of the Messenger in the Office of the Provincial Registrar, for the year 1851.

93. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, for additional Salary of five Messengers:--two for the Office of Provincial Secretary, one for the Governor's Secretary, one for the Receiver General, and one for the Inspector General, at Ten pounds each, for the year 1851.

94. Resolved, That a sum, not exceeding Seventy-five pounds, currency, be granted to Her Majesty, for the Salary of the Secretary of the Board of Statistics, for the year 1851.

Parliamentary Library.

95. Resolved, That a sum, not exceeding Two thousand pounds, currency, be granted to Her Majesty, as an Aid for the Parliamentary Library, for the year 1851.

Public Offices.

96. Resolved, That a sum, not exceeding Two hundred pounds, currency, be granted to Her Majesty, for the Salary of the Clerk attached to the Inspector General's Department, resident in Quebec, to look after the interests of the Crown in respect of the Loans made to the Sufferers by the great Fires in that City in 1845, for the year 1851.

97. Resolved, That a sum, not exceeding One hundred and eighty-two pounds ten shillings, currency, be granted to Her Majesty, for the Salary of a Clerk in the Customs Branch of the Inspector General's Department, at ten shillings per diem, for the year 1851.

98. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, for the Salaries of two other Extra Clerks in the Customs Branch of the Inspector General's Department, at One hundred and fifty pounds each, for the year 1851.

99. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for an addition to the Salary of C.E. Anderson, Confidential Clerk in the Receiver General's Office, for the year 1851.

Keeper of
Parliament
Buildings,
Quebec.

100. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for the Salary of the Keeper of the Parliamentary Buildings at Quebec, for the year 1851.

John Arthur
Roebuck, Esquire.

101. Resolved, That a sum, not exceeding One thousand six hundred and sixty-six pounds thirteen shillings and four pence, currency, be granted to Her Majesty, to pay John

Arthur Roebuck, Esquire, in full compensation for his service as Agent to the late House of Assembly of Lower Canada.

W.L. Mackenzie,
Esq.

102. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, to compensate W.L. Mackenzie, Esquire, for his services as a

Director of the Welland Canal Company in 1835, he having been appointed as such by the House of Assembly of Upper Canada, in accordance with an Act of the Provincial Parliament.

Executors of the
late R. Randall.

103. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, to pay to the Executors of the late Robert Randall, in remuneration of services

rendered by him to the Province of Upper Canada, the same being voted to him by the House of Assembly of that Province.

Opening a Road.

104. Resolved, That a sum, not exceeding One thousand five hundred pounds, currency, be granted to Her Majesty, for

opening a Road to the Tract of Land laid apart for Schools, the same to be refunded by the Settlers.

Mrs. Martha
Wilson.

105. Resolved, That a sum, not exceeding One hundred and thirty-six pounds two shillings and sixpence, currency, be granted to Her Majesty, to enable the Government to pay

the purchase money of a Lot of Land for Mrs. Martha Wilson and her children, of the Township of Wellesley, widow of the late John H. Wilson who was murdered whilst in execution of a Magistrate's Warrant.

Circuit Allowance
to the late Mr.
Justice Pyke.

106. Resolved, That a sum, not exceeding Three hundred and ten pounds three shillings and eight pence, currency, be granted to Her Majesty, for arrears of Circuit Allowance due to the Representatives of the late George Pyke,

formerly Judge of the King's Bench at Montreal.

Removal of the
Seat of Government.

107. Resolved, That a sum, not exceeding Seven hundred and twenty-nine pounds eleven shillings and two pence, currency, be granted to Her Majesty, to enable the Government to indemnify certain Public Officers, Clerks, &c., whose Salaries do not exceed Four hundred pounds, for the Losses sustained by them on the removal of the Public Departments of

Government from Montreal to Toronto, in November 1849, in consequence of being subjected to the payment of double rents, &c.

Industrial
Exhibition.

108. Resolved, That a sum, not exceeding One thousand five hundred pounds, currency, be granted to Her Majesty, towards Expenses of the Industrial Exhibition in London.

J. Turton.

109. Resolved, That a sum, not exceeding Two hundred and ninety pounds fifteen shillings, currency, be granted to Her Majesty, to satisfy the claims of Joseph Turton, Contractor, for the erection of the Parliament Buildings at Toronto, the same having been acknowledged on three occasions by the Assembly of Upper Canada.

Sheriffs.

110. Resolved, That a sum, not exceeding Eight hundred and eighty-eight pounds seventeen shillings and nine pence, currency, be granted to Her Majesty, to pay the Salaries of W.B. Jarvis and J. McLean, Sheriffs of the late Home and Midland Districts, for four years, at One hundred pounds Sterling each, per annum.

Tow Boats.

111. Resolved, That a sum, not exceeding One thousand seven hundred and fifty pounds, currency, be granted to Her

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Majesty, for the maintenance of Tow Boats on the River St. Lawrence, for the year 1851.

Governor's
Residence,
Toronto, &c.

112. Resolved, That a sum, not exceeding Ten thousand pounds, currency, be granted to Her Majesty, for building a Residence for the Governors at Toronto, and Repairs to the Parliament Buildings.

Public Buildings.

113. Resolved, That a sum, not exceeding One thousand three hundred and fifty pounds, currency, be granted to Her Majesty, for Rent of Public Buildings, &c.

Spencer Wood,
Quebec.

114. Resolved, That a sum, not exceeding Three thousand pounds, currency, be granted to Her Majesty, for alterations and repairs to Spencer Wood, at Quebec.

115. Resolved, That a sum, not exceeding Eight thousand pounds, currency, be granted to Her Majesty, for the purchase of Spencer Wood, at Quebec, for the Province.

Removal of the
Seat of Government.

116. Resolved, That a sum, not exceeding One thousand two hundred and fifty pounds, currency, be granted to Her Majesty, for the balance of expenses of removal to Toronto.

117. Resolved, That a sum, not exceeding Five thousand pounds, currency, be granted to Her Majesty, for the expense of removal to Quebec.

General
Post Office.

118. Resolved, That a sum, not exceeding One hundred and sixty-nine pounds six shillings, currency, be granted to Her Majesty, for fitting up the General Post Office.

Rural Police.

119. Resolved, That a sum, not exceeding Seven hundred and fifty pounds, currency, be granted to Her Majesty, for expenses of maintaining the Rural Police in the District of Three Rivers.

Commission
of Enquiry.

120. Resolved, That a sum, not exceeding Six hundred pounds, currency, be granted to Her Majesty, for Expenses of Inquiry into the state of the Montreal Provident and

Savings Bank.

Colleges.

121. Resolved, That a sum, not exceeding One thousand one hundred and eleven pounds two shillings and two pence,

currency, be granted to Her Majesty, as an Aid to Upper Canada College, for the year 1851.

122. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, as an Aid to Victoria College, for the year 1851.

123. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, as an Aid to Queen's College, for the year 1851.

124. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, as an Aid to Regiopolis College, Kingston, for the year 1851.

Toronto Academy.

125. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, for the Toronto Academy, one half to be paid in 1851, and the other half in 1852.

Royal Institution.

126. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, for the Salary of the Secretary to the Royal Institution for the advancement of Learning, for the year 1851.

127. Resolved, That a sum, not exceeding Sixty-seven pounds fifteen shillings and seven pence, currency, be granted to Her Majesty, as an Allowance to the Secretary to the Royal Institution for the advancement of Learning, for a Messenger and Contingencies, for the year 1851.

Grammar Schools.

128. Resolved, That a sum, not exceeding Two hundred and eighty-two pounds four shillings and sixpence, currency, be granted to Her Majesty, for the Allowance heretofore made to the Master of the Grammar School at Montreal, now allowed to the Directors of the High School in that City in consideration of their educating twenty free Scholars, for the year 1851.

129. Resolved, That a sum, not exceeding One hundred and seventy-one pounds two shillings and four pence, currency, be granted to Her Majesty, for the Allowance heretofore made to the Master of the Grammar School at Quebec, now allowed to the Directors of the High School in that City in consideration of their educating twenty free Scholars, for the year 1851.

National Schools.

130. Resolved, That a sum, not exceeding One hundred and eleven pounds two shillings and three pence, currency, be granted to Her Majesty, as an Aid to the National School at Quebec, for the year 1851.

131. Resolved, That a sum, not exceeding One hundred and eleven pounds two shillings and three pence, currency, be granted to Her Majesty, as an Aid to the National School at Montreal, for the year 1851.

Education Society of Quebec.

132. Resolved, That a sum, not exceeding Two hundred and eighty pounds, currency, be granted to Her Majesty, as an Aid to the Society of Education at Quebec, for the year 1851.

British and Canadian School at Quebec.

133. Resolved, That a sum, not exceeding Two hundred pounds, currency, be granted to Her Majesty as an Aid to the British and Canadian School at Quebec, for the year 1851.

Education Society at Three Rivers.

134. Resolved, That a sum, not exceeding One hundred and twenty-five pounds, currency, be granted to Her Majesty, as an Aid to the Education Society at Three Rivers, for the year 1851.

- British and Canadian School at Montreal. 135. Resolved, That a sum, not exceeding Two hundred pounds, currency, be granted to Her Majesty, as an Aid to the British and Canadian School at Montreal, for the year 1851.
- St. Andrew's School. 136. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the St. Andrew's School at Quebec, for the year 1851.
- St. Jacques School. 137. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, as an Aid to the St. Jacques School at Montreal, for the year 1851.
- American Presbyterian Free School. 138. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Montreal American Presbyterian Free School, for the year 1851.
- Colleges. 139. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, as an Aid to the College of Ste. Anne de la Pocatière, for the year 1851.
140. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, as an Aid to the College of St. Hyacinthe, for the year 1851.
141. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, as an Aid to the College of L'Assomption, for the year 1851.
142. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, as an Aid to the College of Chambly, for the year 1851.
- Academies and Seminary. 143. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Academy at Berthier, for the year 1851.
144. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Academy at Charlestown, for the year 1851.
145. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Shefford Academy, for the year 1851.
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146. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Stanstead Seminary, for the year 1851.
147. Resolved, That a sum, not exceeding One hundred and eleven pounds two shillings and two pence, currency, be granted to Her Majesty, as an Aid to the Sherbrooke Academy, for the year 1851.
148. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Granby Academy, for the year 1851.
- Bedford School. 149. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Bedford School, for the year 1851.
- Three Rivers Academy. 150. Resolved, That a sum, not exceeding Forty-five pounds, currency, be granted to Her Majesty, as an Aid to the Three Rivers Academy, for the year 1851.
- School Society at Sherbrooke. 151. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the British North American School Society at Sherbrooke, for the year 1851.
- Durham High School. 152. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the High School at Durham Village, Missisquoi, for the year 1851.

Quebec
Infant School.

for the year 1851.

Indian Schools.

Female School at Indian Lorette, near Quebec, for the year 1851.

155. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Indian School at Caughnawaga, for the year 1851.

156. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Indian School at St. Régis, for year 1851.

157. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Indian School at St. Francis, for the year 1851.

Colleges.

158. Resolved, That a sum, not exceeding Three hundred pounds, currency, be granted to Her Majesty, as an Aid to the College at Ste. Thérèse, for the year 1851.

159. Resolved, That a sum, not exceeding Two hundred pounds, currency, be granted to Her Majesty, as an Aid to the College at Nicolet, for the year 1851.

160. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, as an Aid to the Bishop's College at Lennoxville, for the year 1851.

161. Resolved, That a sum, not exceeding One hundred pounds, currency, be granted to Her Majesty, as an Aid to the Joliette College, for the year 1851.

Clarenceville
Academy.

162. Resolved, That a sum, not exceeding Fifty pounds, currency, be granted to Her Majesty, as an Aid to the Clarenceville Academy, for the year 1851.

Masson College.

163. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, as an Aid to the Masson College, Terrebonne, for the year 1851.

Rigaud College.

164. Resolved, That a sum, not exceeding One hundred and fifty pounds, currency, be granted to Her Majesty, as an Aid to the Rigaud College, Vaudreuil, for the year 1851.

St. Hyacinthe
College.

165. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, for the College at St. Hyacinthe, as an Aid to the building of the new College, for the year 1851.

Ste. Thérèse
College.

166. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, for the College at Ste. Thérèse, as an Aid to the building of a new College, for the year 1851.

Welland Canal.

167. Resolved, That a sum, not exceeding Nineteen thousand four hundred and ninety-nine pounds four shillings, currency, be granted to Her Majesty, for Expenditure on the Welland Canal, for the year 1851.

Lachine Canal.

168. Resolved, That a sum, not exceeding Twenty-eight thousand seven hundred and eighty-nine pounds, currency, be granted to Her Majesty, for Expenditure on the Lachine Canal, for the year 1851.

- Beauharnois Canal. 169. *Resolved*, That a sum, not exceeding Thirteen thousand seven hundred and eighty pounds, currency, be granted to Her Majesty, for Expenditure on the Beauharnois Canal, for the year 1851.
- Cornwall Canal. 170. *Resolved*, That a sum, not exceeding Eight thousand five hundred and thirteen pounds, currency, be granted to Her Majesty, for Expenditure on the Cornwall Canal, for the year 1851.
- Williamsburg Canal. 171. *Resolved*, That a sum, not exceeding Twelve thousand four hundred and fifty-nine pounds, currency, be granted to Her Majesty, for Expenditure on the Williamsburg Canal, for the year 1851.
- Junction Canal. 172. *Resolved*, That a sum, not exceeding Thirty-five thousand pounds, currency, be granted to Her Majesty, for Expenditure on the Junction Canal, for the year 1851.
- River Richelieu. 173. *Resolved*, That a sum, not exceeding Four thousand five hundred pounds, currency, be granted to Her Majesty, for Expenditure on the River Richelieu, for the year 1851.
- Ottawa Works. 174. *Resolved*, That a sum, not exceeding One thousand eight hundred and twelve pounds, currency, be granted to Her Majesty, for Expenditure on the Ottawa Works, for the year 1851.
- St. Lawrence Rapids, and Temiscouata Road. 175. *Resolved*, That a sum, not exceeding One thousand eight hundred pounds, currency, be granted to Her Majesty, for the Survey of the St. Lawrence Rapids and Temiscouata Road, for the year 1851.
- Light Houses. 176. *Resolved*, That a sum, not exceeding Three thousand two hundred and fifty pounds, currency, be granted to Her Majesty, for Expenditure on Light Houses from Lake St. Louis to Lake St. Clair, for the year 1851.
- Melbourne Bridge. 177. *Resolved*, That a sum, not exceeding Seventy-eight pounds eleven shillings and two pence, currency, be granted to Her Majesty, for Expenditure on Melbourne Bridge, for the year 1851.
- Piers and Lights. 178. *Resolved*, That a sum, not exceeding Seven thousand five hundred pounds, currency, be granted to Her Majesty, for a Pier and Light at Father Point, or Rimouski, for the year 1851.
179. *Resolved*, That a sum, not exceeding Six thousand pounds, currency, be granted to Her Majesty, for a Pier and Light at Rivière du Loup, for the year 1851.
180. *Resolved*, That a sum, not exceeding Four thousand pounds, currency, be granted to Her Majesty, for a Pier and Light at Pointe aux Orignaux, for the year 1851.
- (224)
181. *Resolved*, That a sum, not exceeding Five thousand five hundred pounds, currency, be granted to Her Majesty, for a Pier and Light at L'Islet, for the year 1851.
182. *Resolved*, That a sum, not exceeding Four thousand pounds, currency, be granted to Her Majesty, for a Pier and Light at Berthier, for the year 1851.

Beacon, &c.
Manicouagan Shoals,
or Little Metis.

183. Resolved, That a sum, not exceeding Six hundred pounds, currency, be granted to Her Majesty, for a Beacon or Bell-Buoy, Gun, and Keeper's Residence, at Manicouagan Shoal, or at Little Métis, for the year 1851.

Light House
at Cape Rosier.

184. Resolved, That a sum, not exceeding Six thousand pounds, currency, be granted to Her Majesty, for a Light House at Cape Rosier, for the year 1851.

Piers and
Lights.

185. Resolved, That a sum, not exceeding Five thousand pounds, currency, be granted to Her Majesty, for a Pier and Light at Les Eboulemens, for the year 1851.

186. Resolved, That a sum, not exceeding Three thousand five hundred pounds, currency, be granted to Her Majesty, for Pier and Light at Malbaie, for the year 1851.

Awards, &c.

187. Resolved, That a sum, not exceeding Fifteen thousand pounds, currency, be granted to Her Majesty, for awards, damages, and expenses of Arbitrations, for the year 1851.

The First Resolution being read a second time;

Mr. Mackenzie moved in amendment thereunto, seconded by the Honorable Mr. Boulton, That the words "One thousand pounds" be left out, and the words "Six hundred pounds" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, Letellier, Mackenzie, McConnell, Sanborn, Seymour, Smith of DURHAM, and Stevenson.--(10.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Crysler, Davignon, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Macdonald of KINGSTON, Méthot, Mongenais, Nelson, Polette, Price, Robinson, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Taché, and Viger.--(42.)

So it passed in the Negative.

The First Resolution was then agreed to.

The Second Resolution being read a second time;

The Honorable Mr. Boulton moved in amendment thereunto, seconded by Mr. Mackenzie, That the words "Four hundred and ninety pounds" be left out, and the words, "Three hundred and fifty pounds" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow;--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, Mackenzie, McConnell, Prince, and Smith of DURHAM.-(7.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Crysler, Davignon, Dickson, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Lyon, Macdonald of KINGSTON, Malloch, McFarland, McLean, Méthot, Mongenais, Nelson, Polette, Price, Robinson, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, Taché, and Viger.--(52.)

So it passed in the Negative.

The Second Resolution was then agreed to.

The Third to the Fifth of the Resolutions, both inclusive, being read a second time, were agreed to.

The Sixth Resolution being read a second time;

*Mr. Seymour moved in amendment thereunto, seconded by Mr. Stevenson, that the words "One thousand pounds" be left out, and the words "Five hundred pounds" inserted instead thereof;*¹⁵⁹

MR. MACKENZIE supported the motion, but even this gave him some compunctions of conscience, for £500 was too high a salary for this officer. It was a burning shame to give a man a Thousand Pounds for doing nothing, or very nearly nothing, when there were hundreds of thousands of poor children in the back woods who were uneducated, and where roads and other improvements were required; now, what were the duties of the Speaker? He was required to sit in a soft cushioned chair for a few weeks and take the yeas and nays. The first session of the present Parliament lasted only about a fortnight, yet, for that the Speaker must receive £1000. It was a shame, and while such a system was preserved the country could never be expected to get out of debt, nor any improvements be made. The Ministry before they came into office had cried out for these reductions. But they were mere demagogues, and when they got into office forgot all their former promises.¹⁶⁰

MR. BADGLEY was favourable to it¹⁶¹. [He] said, that last year it was the general understanding that the reduction in these salaries should not take place during the period of the present incumbent.¹⁶²

MR. SOL. GEN. DRUMMOND had never voted for less than £1000, and none of his colleagues had ever done so expect prospectively.¹⁶³

MR. G. SHERWOOD would vote for the reduction immediately; for each year there would be another incumbent.¹⁶⁴

MR. CAYLEY was for a prospective reduction.¹⁶⁵

MR. H. BOULTON thought the Speaker of the Upper House ought to have only £250, and of the Lower House £500.¹⁶⁶ This talk about [prospective reductions] was farcical.¹⁶⁷ In Congress the Speaker only got £4 per day.¹⁶⁸

MR. H. SHERWOOD thought it absurd to give £1000 a year in addition to £1 a-day for a Speaker who sat only three months in the year. That large sum was given by way of keeping up esprit du corps. If that had been done, and there had been a few little entertainments, he would have made great allowance. As it was, he would vote for the smaller sum.¹⁶⁹

MR. H. BOULTON, who was in favour of [reduction, pointed] to the fact that the parliament [appeared] to increase rather than to diminish...[the expenses of] every department.¹⁷⁰

MR. INSP. GEN. HINCKS would not deny that £500 was enough for the Speaker, because he had a proposition before the House to that effect, but after the period of the present incumbent.¹⁷¹ On referring to the votes on this question, at the commencement of the last parliament,¹⁷² he showed from the journals that Messrs. W.H. Boulton, Geo. Sherwood, H. Sherwood¹⁷³ the junior member for Toronto, Mr. Seymour,...and many other gentlemen who now desired to figure as economists, voted¹⁷⁴ for £1000 in 1844, when £500 had been proposed¹⁷⁵ as the salary of the Speaker.--¹⁷⁶

A Voice--Where was Mr. Lafontaine?¹⁷⁷

MR. INSP. GEN. HINCKS--He was for £500.¹⁷⁸

MR. SEYMOUR had voted once for £1000, because the predecessor of the Speaker had that sum. It was in the first session, and on every subsequent occasion during the late Speaker's incumbency he voted for £500.¹⁷⁹

(224)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Crysler, Dickson, Hopkins, Letellier, Mackenzie, Malloch, McConnell, McLean, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Stevenson.--(16.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Lyon, Macdonald of KINGSTON, Méthot, Mongenais, Nelson, Notman, Polette, Price, Sauvageau, Scott of BYTOWN, Scott of THE MOUNTAINS, Taché, and Viger.--(38.)

So it passed in the Negative.

The Sixth Resolution was then agreed to.

The Seventh Resolution being read a second time;

MR. MACKENZIE moved an amendment to the vote for £500 for the salary of the Clerk of the Legislative Council¹⁸⁰. [He] said that he had no objection to £500, but he saw that the same gentleman got a further sum for contingencies. He would therefore move in amendment to insert a provision that no further sum should be allowed the said Clerk in the form of fees, perquisites, or contingencies.¹⁸¹

(224)

Mr. Mackenzie moved in amendment thereunto, seconded by Mr. Smith of Durham, That the words "Provided that no additional income shall be paid the said Clerk in the form of fees, perquisites or contingencies" be added at the end thereof;

MR. INSP. GEN. HINCKS had no objection to the amendment, as the Clerk did not receive anything in the shape of contingencies.¹⁸²

MR. MACKENZIE said that the Clerk did figure in the accounts of the last year for an extra sum--¹⁸³.

(224)

And the Question being put, That those words be there added; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bell, Boulton of NORFOLK, Boulton of TORONTO, Cartier, Cayley, Chauveau, Crysler, Dickson, Solicitor General Drummond, Duchesnay, Flint, Fournier, Hall, Hincks, Hopkins, Jobin, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Malloch, McLean, Méthot, Mongenais, Notman, Sanborn, Sauvageau, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, Stevenson, and Taché.--(34.)

NAYS.

Messieurs Armstrong, Baldwin, Bouthillier, Cameron of CORNWALL, Cauchon, Chabot, Dumas, Fortier, Guillet, Attorney General LaFontaine, LaTerrière, McConnell, Nelson, Polette, and Sherwood of TORONTO.--(15.)

So it was resolved in the Affirmative.

And the said Resolution, so amended, was agreed to; and is as followeth:--

7. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, for the Salary of the Clerk of the Legislative Council, for the

year 1851: Provided that no additional income shall be paid the said Clerk in the form of fees, perquisites or contingencies.

The Eighth to the Fifteenth of the Resolutions, both inclusive, being read a second time, were agreed to.

The Sixteenth Resolution being read a second time:

(225)

Mr. Mackenzie moved in amendment thereunto, seconded by Mr. Smith of Durham, That the words "Provided that no Officer of the Legislative Council shall receive any fee, perquisite or compensation, except the salary hereinbefore allowed" be added at the end thereof;

MR. SOL. GEN. DRUMMOND and MR. CAUCHON opposed the amendment, which was supported by MR. H. BOULTON.¹⁸⁴

(225)

And the Question being put, That those words be there added; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Dickson, Hall, Hopkins, Johnson, Letellier, Mackenzie, Malloch, Seymour, and Smith of DURHAM.--(11.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Chauveau, Davignon, Duchesnay, Dumas, Fortier, Fournier, Guillet, Hincks, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Lyon, Macdonald of KINGSTON, McFarland, Mongenais, Nelson, Polette, Price, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Taché, and Viger.--(35.)

So it passed in the Negative.

The Sixteenth Resolution was then agreed to.

The Seventeenth Resolution being read a second time;

Mr. Mackenzie moved in amendment thereunto, seconded by Mr. Boulton of Toronto, That the words "One thousand pounds" be left out, and the words "Five hundred pounds" inserted instead thereof;

MR. MACKENZIE moved that it be £500; saying that he understood there was an arrangement for retaining the present salary bill after the incumbency of the present Speaker. He did not understand why a good man next year should get less than a good man this. When a gentleman from Upper Canada was in the Chair the leaders of the party now in power, all voted for £500. He saw no reason for change.¹⁸⁵

(225)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hall, Hopkins, Mackenzie, Malloch, McLean, and Smith of DURHAM.--(8.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Cartier, Cauchon, Cayley, Chabot, Chauveau, Davignon, Dickson, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Guillet, Hincks, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, McFarland, Méthot, Mongenais, Morrison, Nelson, Polette, Price, Robinson, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Stevenson, Taché, and Viger.--(46.)

So it passed in the Negative.

The Seventeenth Resolution was then agreed to.

The Eighteenth to the Twenty-third of the Resolutions, both inclusive, being read a second time, were agreed to.

The Twenty-fourth Resolution being read a second time;

Mr. Mackenzie moved in amendment thereunto, seconded by Mr. Hopkins, That the words "Provided that an account in detail shall be printed and laid before this House in the first week of next Session" be added at the end thereof;

MR. H. SHERWOOD and MR. BADGLEY spoke against the amendment; MR. W. BOULTON and MR. HOPKINS in favour.¹⁸⁶

(225)

And the Question being put, That those words be there added:--It passed in the Negative.

The Twenty-fourth Resolution was then agreed to.

The Twenty-fifth to the Thirty-eighth of the Resolutions, both inclusive, being read a second time, were agreed to.

Another amendment by MR. MACKENZIE was upon the vote of £30,000 for contingent expenses (exclusive of indemnity of members), to which he proposed a proviso that an account in detail shall be printed and laid before the House in the first week of each session.--Negatived, without a division.¹⁸⁷

(225)

Mr. Boulton of Toronto moved, seconded by Mr. Solicitor General Drummond, and the Question being put, That the Thirty-ninth to the One hundred and eighty-seventh Resolutions, both inclusive, be taken into further consideration on Tuesday next; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bell, Boulton of TORONTO, Solicitor General Drummond, Fournier, Hall, Hopkins, Lacoste, Attorney General LaFontaine, LaTerrière, Lyon, Solicitor General Macdonald, Mackenzie, Milloch, Price, Robinson, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(20.)

NAYS.

Messieurs Baldwin, Bouthillier, Cartier, Cauchon, Davignon, Duchesnay, Dumas, Flint, Fortier, Guillet, Jobin, Johnson, Letellier, McConnell, Méthot, Mongenais, Nelson, Polette, Scott of BYTOWN, Scott of TWO MOUNTAINS, and Taché.--(21.)

So it passed in the Negative.

Mr. Boulton of Toronto moved, seconded by Mr. Stevenson, and the Question being put, That the Thirty-ninth to the One hundred and eighty-seventh of the Resolutions, both inclusive, be taken into further consideration on Tuesday next; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bell, Boulton of TORONTO, Dickson, Solicitor General Drummond, Fournier, Hall, Hopkins, Lacoste, Attorney General LaFontaine, La-Terrière, Lyon, Solicitor General Macdonald, Malloch, Price, Robinson, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(20.)

NAYS.

Messieurs Baldwin, Bouthillier, Cartier, Cauchon, Davignon, Duchesnay, Dumas, Flint, Fortier, Guillet, Jobin, Johnson, Letellier, Mackenzie, McConnell, Méthot, Mongenais, Nelson, Polette, Scott of TWO MOUNTAINS, and Taché.--(21.)

So it passed in the Negative.

Several motions to postpone were then made it being then past midnight; the Inspector General having left the House, and the Solicitor General consenting to the motion.¹⁸⁸

MR. SHERWOOD then moved an adjournment, which, however, he consented to withdraw at the request of MR. AT. GEN. BALDWIN.¹⁸⁹

The question of the postponement was then put again.¹⁹⁰

(225)

Mr. Boulton of Toronto moved, seconded by Mr. Stevenson, and the Question being put, That the Thirty-ninth to the One hundred and eighty-seventh of the Resolutions, both inclusive, be taken into further consideration on Tuesday next; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Boulton of TORONTO, Cauchon, Chauveau, Dickson, Solicitor General Drummond, Dumas, Fortier, Fournier, Guillet, Hall, Hopkins, Jobin, Lacoste, Attorney General LaFontaine, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, Méthot, Nelson, Polette, Price, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, and Taché.--(30.)

NAYS.

Messieurs Burritt, Cartier, Davignon, Duchesnay, Flint, Johnson, McConnell, Mongenais, Scott of BYTOWN, and Scott of TWO MOUNTAINS.--(10.)

So it was resolved in the Affirmative.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of the Honorable Mr. Sherwood, seconded by Mr. Boulton of Toronto,

The House adjourned.

APPENDIX: 1 AUGUST 1851.

[NOTICE OF ADDRESS RE: SHIP CANAL AT SAULT STE. MARIE FALLS.]¹⁹¹

MR. ROBINSON gave notice of a motion for an Address for a Ship Canal to be constructed round the Falls of the Sault Ste. Marie.¹⁹²

FOOTNOTES: 1 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 2 August 1851, HAMILTON SPECTATOR, 6 August 1851, PILOT, 7 August 1851, NORTH AMERICAN, 8 August 1851. The debate was also reported by BRITISH COLONIST, 5 August 1851.
2. NORTH AMERICAN, 8 August 1851. GLOBE, 2 August 1851, and HAMILTON SPECTATOR, 6 August 1851, both reported in error that "the Penitentiary Divisions Bill" was the subject of this debate.
3. GLOBE, 2 August 1851.
4. HAMILTON SPECTATOR, 6 August 1851.
5. BRITISH COLONIST, 5 August 1851.
6. GLOBE, 2 August 1851.
7. BRITISH COLONIST, 5 August 1851.
8. GLOBE, 2 August 1851.
9. IBID.
10. BRITISH COLONIST, 5 August 1851.
11. GLOBE, 2 August 1851.
12. BRITISH COLONIST, 5 August 1851.
13. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 2 August 1851, HAMILTON SPECTATOR, 6 August 1851, PILOT, 7, 9 August 1851, NORTH AMERICAN, 8 August 1851, BATHURST COURIER, 12 August 1851, and OTTAWA CITIZEN, 16 August 1851. The debate was also reported by: BRITISH COLONIST, 5 August 1851; and EXAMINER, 6 August 1851. A commentary on the debate appeared in MONTREAL GAZETTE, 5 August 1851. BRITISH COLONIST, 5 August 1851 mistakenly attributed Mr. Price's comments to Col. Prince; HAMILTON SPECTATOR, 6 August 1851, reported in error that the remarks made by Col. Prince came from Mr. Price.
14. BRITISH COLONIST, 5 August 1851.
15. GLOBE, 2 August 1851.
16. BRITISH COLONIST, 5 August 1851.
17. EXAMINER, 6 August 1851.
18. BRITISH COLONIST, 5 August 1851.
19. GLOBE, 2 August 1851.
20. IBID.
21. BRITISH COLONIST, 5 August 1851.
22. GLOBE, 2 August 1851.
23. IBID.
24. BRITISH COLONIST, 5 August 1851.
25. GLOBE, 2 August 1851.
26. EXAMINER, 6 August 1851.
27. GLOBE, 2 August 1851.
28. BRITISH COLONIST, 5 August 1851.
29. GLOBE, 2 August 1851.
30. IBID.
31. IBID.
32. EXAMINER, 6 August 1851.
33. GLOBE, 2 August 1851.
34. EXAMINER, 6 August 1851.
35. GLOBE, 2 August 1851.
36. IBID.
37. EXAMINER, 6 August 1851.
38. IBID.
39. BRITISH COLONIST, 5 August 1851.
40. EXAMINER, 6 August 1851.
41. GLOBE, 2 August 1851.
42. IBID.

43. EXAMINER, 6 August 1851.
44. GLOBE, 2 August 1851.
45. BRITISH COLONIST, 5 August 1851.
46. EXAMINER, 6 August 1851.
47. GLOBE, 2 August 1851.
48. EXAMINER, 6 August 1851.
49. IBID.
50. IBID.
51. BRITISH COLONIST, 5 August 1851.
52. EXAMINER, 6 August 1851.
53. IBID.
54. IBID.
55. GLOBE, 2 August 1851.
56. EXAMINER, 6 August 1851.
57. IBID.
58. GLOBE, 2 August 1851.
59. EXAMINER, 6 August 1851.
60. BRITISH COLONIST, 5 August 1851.
61. EXAMINER, 6 August 1851.
62. GLOBE, 2 August 1851.
63. EXAMINER, 6 August 1851.
64. GLOBE, 2 August 1851.
65. BRITISH COLONIST, 5 August 1851.
66. EXAMINER, 6 August 1851.
67. IBID.
68. IBID.
69. GLOBE, 2 August 1851.
70. EXAMINER, 6 August 1851.
71. GLOBE, 2 August 1851.
72. BRITISH COLONIST, 5 August 1851.
73. GLOBE, 2 August 1851.
74. BRITISH COLONIST, 5 August 1851.
75. GLOBE, 2 August 1851.
76. BRITISH COLONIST, 5 August 1851.
77. EXAMINER, 6 August 1851.
78. GLOBE, 2 August 1851.
79. BRITISH COLONIST, 5 August 1851.
80. GLOBE, 2 August 1851.
81. EXAMINER, 6 August 1851.
82. GLOBE, 2 August 1851.
83. EXAMINER, 6 August 1851.
84. GLOBE, 2 August 1851.
85. EXAMINER, 6 August 1851.
86. GLOBE, 2 August 1851.
87. IBID.
88. EXAMINER, 6 August 1851.
89. BRITISH COLONIST, 5 August 1851.
90. GLOBE, 2 August 1851.
91. BRITISH COLONIST, 5 August 1851.
92. MONTREAL GAZETTE, 5 August 1851.
93. GLOBE, 2 August 1851.
94. BRITISH COLONIST, 5 August 1851.
95. GLOBE, 2 August 1851.
96. MONTREAL GAZETTE, 5 August 1851.
97. GLOBE, 2 August 1851.
98. EXAMINER, 6 August 1851.

99. BRITISH COLONIST, 5 August 1851.
100. EXAMINER, 6 August 1851.
101. GLOBE, 2 August 1851.
102. EXAMINER, 6 August 1851.
103. BRITISH COLONIST, 5 August 1851.
104. EXAMINER, 6 August 1851.
105. BRITISH COLONIST, 5 August 1851.
106. EXAMINER, 6 August 1851.
107. GLOBE, 2 August 1851.
108. EXAMINER, 6 August 1851.
109. GLOBE, 2 August 1851.
110. HAMILTON SPECTATOR, 6 August 1851.
111. BRITISH COLONIST, 5 August 1851.
112. HAMILTON SPECTATOR, 6 August 1851.
113. BRITISH COLONIST, 5 August 1851.
114. HAMILTON SPECTATOR, 6 August 1851.
115. BRITISH COLONIST, 5 August 1851.
116. IBID.
117. IBID.
118. IBID.
119. HAMILTON SPECTATOR, 6 August 1851.
120. IBID.
121. IBID.
122. IBID.
123. IBID.
124. IBID.
125. IBID.
126. IBID.
127. IBID.
128. IBID.
129. GLOBE, 2 August 1851.
130. HAMILTON SPECTATOR, 6 August 1851.
131. GLOBE, 2 August 1851.
132. HAMILTON SPECTATOR, 6 August 1851.
133. GLOBE, 2 August 1851.
134. HAMILTON SPECTATOR, 6 August 1851.
135. GLOBE, 2 August 1851.
136. HAMILTON SPECTATOR, 6 August 1851.
137. GLOBE, 2 August 1851.
138. HAMILTON SPECTATOR, 6 August 1851.
139. GLOBE, 2 August 1851.
140. HAMILTON SPECTATOR, 6 August 1851.
141. GLOBE, 2 August 1851.
142. HAMILTON SPECTATOR, 6 August 1851.
143. GLOBE, 2 August 1851.
144. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 5 August 1851, HAMILTON SPECTATOR, 6 August 1851, and PILOT,
9 August 1851. The debate was also reported by GLOBE, 5 August 1851.
145. BRITISH COLONIST, 5 August 1851.
146. IBID.
147. IBID.
148. IBID.
149. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 5 August 1851, HAMILTON SPECTATOR, 6 August 1851, and
PILOT, 9 August 1851. The debate was also reported by GLOBE, 5 August 1851.

150. BRITISH COLONIST, 5 August 1851.
151. IBID.
152. IBID.
153. IBID.
154. IBID.
155. IBID.
156. IBID.
157. IBID.
158. IBID.
159. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 5 August 1851, HAMILTON SPECTATOR, 6 August 1851, and PILOT,
9 August 1851. The debate was also reported by: GLOBE, 5 August 1851; and
JOURNAL DE QUEBEC, 7 August 1851.
160. BRITISH COLONIST, 5 August 1851.
161. GLOBE, 5 August 1851.
162. BRITISH COLONIST, 5 August 1851.
163. IBID.
164. IBID.
165. GLOBE, 5 August 1851.
166. BRITISH COLONIST, 5 August 1851.
167. GLOBE, 5 August 1851.
168. BRITISH COLONIST, 5 August 1851.
169. IBID.
170. GLOBE, 5 August 1851. The ellipsis represents illegible words.
171. BRITISH COLONIST, 5 August 1851.
172. GLOBE, 5 August 1851.
173. BRITISH COLONIST, 5 August 1851.
174. GLOBE, 5 August 1851.
175. BRITISH COLONIST, 5 August 1851.
176. GLOBE, 5 August 1851.
177. BRITISH COLONIST, 5 August 1851.
178. IBID.
179. IBID.
180. GLOBE, 5 August 1851.
181. BRITISH COLONIST, 5 August 1851.
182. GLOBE, 5 August 1851.
183. IBID.
184. IBID.
185. BRITISH COLONIST, 5 August 1851.
186. GLOBE, 5 August 1851.
187. IBID.
188. BRITISH COLONIST, 5 August 1851.
189. IBID.
190. IBID.
191. The following papers reported this notice of address in identical accounts:
BRITISH WHIG, 2 August 1851, MONTREAL GAZETTE, 2 August 1851, MORNING CHRONICLE,
2 August 1851, MONTREAL TRANSCRIPT, 2 August 1851, PILOT, 2 August 1851, and
BRITISH COLONIST, 5 August 1851.
192. BRITISH WHIG, 2 August 1851.

SATURDAY, 2 AUGUST 1851.

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Petitions read.

PURSUANT to the Order of the day, the following Petitions were read:--

Of John Milburn and others, of the Town and County of Peterborough, members of the Wesleyan Methodist Church in Canada; praying that the Bill to incorporate

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the Benevolent Societies of the Wesleyan Methodist Church in Canada, may not pass into Law.

Of D. Paterson and S.F. Urquhart, Merchants, of the City of Toronto; complaining of the conduct of the Collector of Customs at the Port of Toronto, in the transactions of his office, and of his general inability; and praying for an investigation in the premises.

Petition referred.

Ordered, That the Petition of F. DeSales Bastien, Notary, Secretary-Treasurer of the Municipality of the County of Vaudreuil, on behalf of the said Municipality, be referred to the Standing Committee on Railroads and Telegraph Lines.

Eastern Townships.

Ordered, That all the Petitions relating to the settlement of the Eastern Townships received up to this day, and which have not already been referred, be referred to the Select Committee appointed to enquire into the causes which prevent or retard the settlement of the Eastern Townships in the Districts of Three Rivers, St. Francis, and Quebec.

Library.

Ordered, That the Honorable Mr. Chabot be added to the Select Committee appointed to assist Mr. Speaker in the direction of the Parliamentary Library.

Bill to raise the rate of Interest in Upper Canada.

Mr. Smith of Durham presented a Bill to establish the legal rate of Interest at seven per cent. in Upper Canada; and the same was received and read for the first time.

Mr. Smith of Durham moved, seconded by Mr. Flint, and the Question being put, That the Bill be read a second time on Monday next; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Flint, Macdonald of KINGSTON, Malloch, Morrison, Prince, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Smith of DURHAM.--(10.)

NAYS.

Messieurs Baldwin, Bouthillier, Cauchon, Chabot, Chauveau, Crysler, Davignon, Duchesnay, Fortier, Fournier, Fourquin, Guillet, Hincks, Lacoste, Lemieux, Letellier, Lyon, Solicitor General Macdonald, McConnell, Méthot, Nelson, Polette, Robinson, Sawageau, Scott of TWO MOUNTAINS, Seymour, Smith of WENTWORTH, Stevenson, and Taché.--(29.)

So it passed in the Negative.

Mr. Davignon moved, seconded by Mr. Duchesnay, and the Question being put, That the Bill be read a second time this day six months; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bouthillier, Cauchon, Chabot, Chauveau, Crysler, Davignon,

Duchesnay, Fortier, Fournier, Fourquin, Guillet, Hincks, Lacoste, Lemieux, Letellier, Lyon, Solicitor General Macdonald, McConnell, Méthot, Nelson, Polette, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Smith of WENTWORTH, Stevenson, and Taché.--(29.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Flint, Macdonald of KINGSTON, Malloch, Morrison, Prince, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Smith of DURHAM.--(10.)

So it was resolved in the Affirmative.

<u>Members</u>	<u>Ordered</u> , That Mr. <u>Letellier</u> have leave to bring in a Bill
<u>Indemnity Act</u>	to amend the Act to indemnify Members of the Legis-
<u>Amendment</u>	lative Assembly for their expenses in attending the
<u>Bill</u> .	Sessions of the Legislature.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.¹

On motion of Mr. Flint, seconded by Mr. Davignon,

<u>Orders of</u>	<u>Ordered</u> , That from and after this day, such Orders of the
<u>the Day</u> .	day as are not proceeded with when read be placed at the
	foot of the list of the Orders of the day, unless other-
	wise disposed of by the House.

<u>Representation</u>	The Honorable Mr. <u>Boulton</u> moved, seconded by Mr. <u>Christie</u> ,
<u>of the Province</u> .	and the Question being put, That leave to given to bring
	in a Bill to equalize the Representation of the People of
	this Province in Parliament; the House divided: and the names being called
	for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Burritt, Christie, Hall, Hopkins, McConnell, Merritt, Morrison, Sherwood of BROCKVILLE, Smith of DURHAM, and Smith of WENTWORTH.--(12.)

NAYS.

Messieurs Armstrong, Badgley, Cartier, Cauchon, Chabot, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Lacoste, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, Méthot, Mongenais, Nelson, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Sherwood of TORONTO, Stevenson, and Taché.--(33.)

So it passed in the Negative.

On the motion of MR. H. BOULTON², MR. SOL. GEN. DRUMMOND consented to bring down some information relating to suits in Montreal for the infringement of the usury laws.³

MR. MACKENZIE⁴ moved an address for a return relative to the affairs of the Indian Department and Grand River navigation.⁵

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<u>Indian</u>	Mr. <u>Mackenzie</u> moved, seconded by Mr. <u>McFarland</u> , and the
<u>Department</u> .	Question being put, That an humble Address be presented to
	His Excellency the Governor General, praying that His Ex-

cellency will be graciously pleased to cause to be laid before this House, a Statement of the receipts and expenditure of the Indian Department in Canada, during the last two years, including copies of the latest Returns made to Her Majesty's Government in England; the said Statement to show the whole revenue from whatever source derived, the amounts paid from the Indian Fund to certain Settlers on the Grand River as compensation for giving up their improvements, and also the expenses incurred for the prosecution of certain Settlers on the Lands of the said River; the incomes of the several Officers and servants of the Indian Department, whether derived from sales of Grand River Lands, and how invested, and the income thence accruing, and how disposed of; also the names of defaulting accountants or other officers, if any such there are, and for what sum or sums; together with a copy of the latest annual Report laid before the Government by the Grand River Navigation Company, and such a statement of the income and financial affairs of that Company as it may be in the power of the Government to give;

MR. INSP. GEN. HINCKS opposed it, on the ground that the British Government were very anxious to get rid of the trouble and cost of the Indian Department, and that any interference of the House would bar them doing so immediately, and so throw an increased charge on the Government of the Province.⁶

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Mackenzie, Malloch, McFarland, Scott of TWO MOUNTAINS, Smith of DURHAM, and Smith of FRONTENAC.--(7.)

NAYS.

Messieurs Armstrong, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Christie, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Hincks, Jobin, Johnson, Letellier, Lyon, Sol-

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icitor General Macdonald, Macdonald of KINGSTON, McConnell, Merritt, Méthot, Price, Robinson, Sanborn, Scott of BYTOWN, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, Taché, and Viger.--(37.)

So it passed in the Negative.

Sealing of
the River
St. Maurice.

The Honorable Mr. Price, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 12th June, 1851, for Copies of the field books, diaries, field notes, and other papers and documents mentioned in the Reports of the sealing of the River St. Maurice, by Hilarion Legendre, sworn Surveyor, from 15th April to 2nd May, 1847, and by John Bignell, Provincial Surveyor, on the 26th August, 1847, 11th May, 1848, and 13th November, 1848, and accompanying the said Reports; which said Reports and the instructions for sealing the said River St. Maurice, and the Map or Plan of the said River, were laid before this House on the 8th August last.

Appendix (G.G.G.)

For the said Return, see Appendix (G.G.G.)

Timber cut
on Reserves.

And also Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 28th May,

1851, praying His Excellency to cause to be laid before the House, an Account, in detail, of the amount in money collected for Timber or Wood cut on Crown and Clergy Reserves, and each of them, in the County of Peterborough, in the years 1849, 1850, and 1851, and each of them, and the description of Timber and Wood cut, and whether cut in pursuance of license granted, or otherwise.

Appendix (H.H.H.)

For the said Return, see Appendix (H.H.H.)

Public Business.

Mr. Prince moved, seconded by Mr. Taché, and the Question being put, That on and after Monday next, during the remainder of the present Session, all Notices of Motions be taken up after the Orders of the day are disposed of, save and except such Notices as may be specially permitted to be proceeded upon, or the introduction of Bills; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chabot, Christie, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Johin, Johnson, Laurin, Lemieux, Letellier, Lyon, Solicitor General Macdonald, McConnell, McFarland, Méthot, Mongenais, Morrison, Price, Prince, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Taché, and Viger.--(38.)

NAYS.

Messieurs Badgley, Bell, Boulton of NORFOLK, Macdonald of KINGSTON, Mackenzie, Malloch, Merritt, Richards, Robinson, Seymour, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(14.)

So it was resolved in the Affirmative.⁷

Grand River Navigation.

The Honorable Mr. Merritt moved, seconded by Mr. Mackenzie, and the Question being put, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to authorise the issue of Debentures, under the provision of the 7th Will. 4, cap. 73, for the completion of the Grand River Navigation, and for no other purpose; the House divided:--And it passed in the Negative.

On motion of the Honorable Mr. Merritt, seconded by Mr. Scott of Bytown,

Negotiation of Loans.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to lay before this House, copies of any Orders in Council declaring the views of the Government with regard to the negotiation of future Loans, since the Session of 1849.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Bill to exempt certain property from seizure.

Ordered, That Mr. Mackenzie have leave to bring in a Bill to exempt, to the value of Sixty-two pounds ten shillings, the tools or implements of any householder's trade or calling, and the wearing apparel, the bedding, and other furniture required for the use of his family, from seizure and sale under execution for debt; and to prevent the property thus exempted, from being assigned, pledged, or sold in liquidation of debts contracted for intoxicating drinks.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Indians (U.C.)
Creditors
Relief Bill.

Ordered, That Mr. Mackenzie have leave to bring in a Bill for the relief of the Creditors of Indians in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

King's College
and Upper Canada
College.

Mr. Mackenzie moved, seconded by Mr. Smith of Wentworth, and the Question being put, That the Return relative to King's College and Upper Canada College, which was presented on Thursday last, be printed in octavo form for the use of the Members of this House, under the direction of the Standing Committee on Printing; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Cartier, Cauchon, Chauveau, Davignon, Solicitor General Drummond, Dumas, Flint, Fourmier, Hall, Jobin, Lacoste, Attorney General LaFontaine, Letellier, Macdonald of KINGSTON, Mackenzie, Malloch, Merritt, Mongenais, Morrison, Polette, Richards, Sanborn, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, and Viger.--(33.)

NAYS.

Messieurs Christie, Johnson, LaTerrière, McConnell, Méthot, and Robinson.--(6.)

So it was resolved in the Affirmative.

Indians (L.C.)
Property pro-
tection Bill.

An engrossed Bill to amend the Act for the better protection of the Lands and Property of the Indians in Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to repeal in part and to amend an Act, intituled, 'An Act for the better protection of the Lands and Property of the Indians in Lower Canada.'"

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Public Works
Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act for the further amendment of the Laws relating to the Public Works in this Province," was, according to

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Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Drummond do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same without any Amendment.

Kamouraska
and Aylmer
Court Houses
and Gaols Bill.

An engrossed Bill to appropriate all monies accruing out of Tavern Licenses in the Counties which form the District of Kamouraska, and in the County of Ottawa, towards defraying the cost of the Court House and Gaol erected at Kamouraska, and the Court House and Gaol now being erected at Aylmer, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to Municipalities acquiring Public Works.

Mr. Méthot reported the Bill to remove doubts as to Municipal Corporate Bodies acquiring Public Works without the limits of such Municipalities; and the amendment was read, and agreed to.

Mr. Stevenson moved, seconded by Mr. Seymour, and the Question being put, That the Bill, with the amendment, be engrossed, and read the third time on Monday next; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Cartier, Chabot, Chauveau, Christie, Davignon, Duchesnay, Flint, Hall, Jobin, Johnson, Lacoste, Lemieux, Letellier, Macdonald of KINGSTON, Malloch, McConnell, Merritt, Richards, Robinson, Sanborn, Sauvageau, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Stevenson.
--(27.)

NAYS.

Messieurs Bell, Burritt, Cauchon, Dumas, Mackenzie, Morrison, Taché, and Viger.--(8.)

So it was resolved in the Affirmative.

West Gwillimbury Old Survey Annexation Bill.

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled, "An Act to annex the Old Survey of West Gwillimbury in the County of Simcoe, to the adjoining Township of East Gwillimbury in the County of York," being read;

Ordered, That the said Order be discharged.

Bankrupts Relief Bill.

The Order of the day for the second reading of the Bill to provide for the relief of Bankrupts and the administration of their Estates, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Bill relating to the opening of Township Lines (U.C.).

The Order of the day for the second reading of the Bill to enable the Municipal Councils in Upper Canada to apply Township Statute Labor to the opening and improvement of Township Lines, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Quebec Pilots Incorporation Bill.

The Order of the day for the second reading of the Bill to incorporate the Pilots for and below the Harbour of Quebec, being read;

Mr. Taché moved, seconded by Mr. Cauchon, and the Question being proposed, That the Bill be now read a second time;⁸

MR. CHRISTIE ... [parlait] au nom du commerce de Québec, disait-il, et les voix de presque tout le Haut-Canada⁹. [He] objected to the bill on the ground principally that one of the clauses of the bill proposes to give the corporation the right to appoint the succession in which Pilots should take charge of ships. This would entirely deprive Captains and Merchants of the choice of men to do their work, because it gave power to the Board of Directors to try all cases connected

with the corporation, to summon witnesses, and to imprison parties.¹⁰

MR. CAUCHON said both these objections would fall to the ground, as the hon. member would abandon those two clauses. He justified the incorporation of the Pilots, on the ground of their being placed in a different position from other industrial persons, inasmuch as they were bound to serve a certain number of years, and to charge only a certain rate.¹¹

MR. BADGLEY opposed the bill on principle.--The bill proposed to compel every Pilot to put all his earnings into one Joint Stock Fund, from which after deducting expenses, an equal division should be made. This was an absurd principle. It would be just as well to incorporate all the Merchants or Lawyers in a town and divide their earnings. It was a communist principle which could not fail to lead to mischief. He proceeded to speak of the details, which he condemned nearly in the same way as Mr. Christie.¹²

MR. CHABOT also opposed the bill, which he had refused to take charge of some time ago. All other industrial classes might as well be incorporated, and he could see no interest that the Pilots had in being thus incorporated, unless the pleasure of paying £2000 a year for the sake of the incorporation. Nor could he see any advantage which the trade could derive from this measure.¹³

MR. CHAUVEAU expressed his intention of voting for the bill.¹⁴

MR. METHOT also supported the bill.¹⁵

MR. LETELLIER followed on the same side.¹⁶

A few words [came] from MR. H. BOULTON against the bill¹⁷.

MR. AT. GEN. LAFONTAINE said he would vote for the second reading for the purpose of referring the bill to a Committee.¹⁸

MR. MERRITT had given many years' attention to this subject; and was entirely opposed to the bill. The incorporation of Pilots had been tried and found to be unsuccessful in the States.¹⁹

MR. TACHE déclara formellement qu'il abandonnait ... [les] deux clauses [suivantes:] ... le pouvoir donné au bureau de direction de régler le tour de chaque pilote, et celui de juger les causes tombant dans le domaine de l'acte d'incorporation.²⁰

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Mr. Christie moved in amendment to the Question, seconded by the Honorable Mr. Boulton, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Cameron of CORNWALL, Chabot, Christie, Fergusson, Flint, Hall, Lyon, Malloch, McConnell, Merritt, Price, Prince, Robinson, Scott of BYTOWN, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Steven-son.--(20.)

NAYS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chauveau, Davignon, Sol-icitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Guillet, Lacoste, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McFarland, Méthot, Mongenais, Sauvageau, Taché, and Viger.--(25.)

So it passed in the Negative.

Then the main Question being put; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read a second time.

Resolved, That the Bill be referred to a Committee of five Members, to report thereon with all convenient speed.

Ordered, That Mr. Taché, the Honorable Mr. Chabot, Mr. Chauveau, Mr. Letellier, and Mr. Méthot, do compose the said Committee.

*Orders
deferred.*

Ordered, That the Orders of the day that remain undisposed of at the adjournment of the House this day, be postponed until Monday next.

*Railway be-
tween Halifax
and Quebec.*

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,--Supplementary Return to an Address of the Legislative Assembly to His Excellency the Governor General, dated 23d July, 1851, for copies of all Correspondence that has taken place between Her Majesty's Government and the Government of this Province, on the subject of the Act of this Legislature authorizing a private Company to construct a Railway between Halifax and Quebec.

Appendix (A.A.A.)

For the said Supplementary Return, see Appendix (A.A.A.)

Ordered, That the said Supplementary Return be printed for the use of the Members of this House.

*Toronto Uni-
versity, Upper
Canada College
and Grammar
School.*

The Honorable Mr. Price, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 16th June, 1851, praying His Excellency to cause to be laid before the House, copies of all Reports made in duplicate to His Excellency by the Endowment Board of the University of Toronto, and of Upper Canada College and Grammar School, and by the Auditors of Accounts of those Institutions, in compliance with the provisions contained in Sections 22 and 23, and 59 and 60, of the University Act of 1849, shewing the state of the property and effects, and generally of the fiscal or financial affairs of the said University, College and School, since they were established upon principles "to conciliate the confidence and ensure the support of all classes and denominations of Her Majesty's subjects;" also, copies of Annual Reports made by the Principal of Upper Canada College and the Royal Grammar School, shewing their condition and progress, under authority of Section 55 of the said Act, or such of the said copies of Reports as may have been received by the Government.

Appendix (I.I.I.)

For the said Return, see Appendix (I.I.I.)

Ordered, That the said Return be printed for the use of the Members of this House.

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*Steamers be-
tween Great
Britain and
B.N. America.*

The Order of the day for the House in Committee to take into consideration certain Resolutions proposed on the 16th June last, respecting the establishment of a Line of Steam Vessels between Liverpool and the River St. Lawrence, being read;

The House accordingly resolved itself into the said Committee.

Mr. Malloch took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Malloch reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

Royal Assent
to Bills.

A Message from His Excellency the Governor General, by
Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black
Rod:--

Mr. Speaker,

His Excellency the Governor General desires the immediate attendance of this Honorable House in the Legislative Council Chamber.

Accordingly, Mr. Speaker, with the House, went to the Council Chamber:--
And being returned;

Mr. Speaker reported, That agreeable to the commands of His Excellency the Governor General, the House had attended upon His Excellency in the Legislative Council Chamber, where His Excellency was pleased to give, in Her Majesty's Name, the Royal Assent to the following Public and Private Bills:--

Land Surveyors'
Act Amendment Bill.

An Act to amend the Act concerning Land Surveyors.

Quebec Fire Deben-
tures Act Amend-
ment Bill.

An Act to amend the Act therein mentioned, enabling Her Majesty to direct the issue of Debentures to a limited amount, and for granting relief to the City of Quebec.

Mutual Fire
Insurance
Companies
Bill, (L.C.).

An Act to amend and make permanent the Acts in force in Lower Canada for the establishment of Mutual Fire Insurance Companies therein.

Montreal Trinity
House Act Amend-
ment Bill.

An Act to amend the Montreal Trinity House Act.

Montreal Firemen's
Benevolent Asso-
ciation Bill.

An Act to amend the Act incorporating the Montreal Firemen's Benevolent Association.

Emigrant Act
Amendment Bill.

An Act to provide for the commutation of certain Bonds required under the Emigrant Act.

Bill relating
to River du
Chêne.

An Act to explain and remove doubts under certain Acts passed for the improvement of the River du Chêne.

Bill relating
to Notaries.

An Act to amend a certain Act passed in the twelfth year of Her Majesty's Reign, relating to Notaries.

Officers of
Justice Salaries
Act Amendment
Bill (L.C.).

An Act to amend the Act substituting Salaries for Fees in certain cases in Lower Canada.

Bill relating to
Land Patents.

An Act relating to Land Patents whereby any waste or other Lands of the Crown in Lower Canada are granted, and to dispense with certain formalities therewith connected occasioning unnecessary delay and expense, and to amend a certain Act therein mentioned concerning such Land Patents.

Bill to authorize a Second Term of the Superior Court to be held in the District of Gaspé.

An Act to authorize the holding of a Second Term of the Superior Court annually in the District of Gaspé, and for the better administration of Justice therein.

Criminal Law Amendment Bill.

An Act for the further amendment of the administration of the Criminal Law.

Trinity College Bill.

An Act to incorporate Trinity College.

Bill relating to Deeds creating debts to the Crown.

An Act to compel the Registration of Deeds and Instruments creating Debts to the Crown.

Orphans' Home and Female Aid Society Bill.

An Act to incorporate the Orphans' Home and Female Aid Society, Toronto.

British America Assurance Bill.

An Act to extend the powers of the British America Fire and Life Assurance Company in Marine Assurance, and to reduce the number of the Directors of the said Company.

County of York Courts Bill.

An Act to alter the periods for holding certain Courts in the County of York.

Bill relating to Lands and Tenements.

An Act to facilitate the leasing of Lands and Tenements.

Carleton General Protestant Hospital Bill.

An Act to incorporate the County of Carleton General Protestant Hospital.

Bill relating to a Road Allowance in the Township of York.

An Act to vest a certain allowance for Road, in the Township of York, in certain persons.

Toronto House of Industry Bill.

An Act to incorporate the House of Industry of Toronto.

Heir and Devisee Bill.

An Act to amend the Heir and Devisee Act.

Bill relating to a By-law of Peterborough Municipal Council.

An Act to indemnify the Municipal Councillors of the County of Peterborough, and others, for passing a certain By-Law of the Municipal Council of the said County which was afterwards quashed.

Gould & Sons Naturalization Bill.

An Act to naturalize Ira Gould and others, and for other purposes.

Waterous' Civil and Political Rights Bill.

An Act to confer upon Charles Horatio Waterous the Civil and Political Rights of a natural born British Subject.

Penitentiary
Management
Bill.

An Act for the better management of the Provincial Penitentiary.

Transfer of
Real Property
Bill (U.C.).

An Act to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, "An Act to simplify the transfer of Real Property in Upper Canada, and to render certain rights and interests therein liable under execution."

Apprentices
and Minors Bill.

An Act to amend the Law relating to Apprentices and Minors.

Canada Guar-
antee Company
Bill.

An Act to incorporate the Canada Guarantee Company.

Primogeniture
Abolition Bill.

An Act to abolish the right of Primogeniture in the succession to Real Estate held in fee simple or for the life of another in Upper Canada, and to provide for the division thereof amongst such of the Relatives of the last proprietor as may best accord with the relative claims of such parties in the division thereof.

Election
Petitions Bill.

An Act to repeal the several Acts of the Parliaments of Lower and Upper Canada now in force for the trial of Controverted Parliamentary Elections in the two sections of the Province respectively, and to provide by one General Act for the trial of all Parliamentary Election Petitions.

A. Thompson's
Road Allowance
Bill.

An Act to vest a certain allowance for Road in the Township of Woodhouse, in the County of Norfolk, in Andrew Thompson.

Petit Jurors
Payment Bill,
(U.C.).

An Act to provide for the payment of Petit Jurors in Upper Canada.

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Bill relating
to Ottawa Street
in Cayuga.

An Act to close up part of Ottawa Street in the Village of Cayuga.

Kingston Water
Works Act
Amendment Bill.

An Act to amend the Act, intituled, "An Act to incorporate the City of Kingston Water Works Company."

Absent Defen-
dants Bill.

An Act to provide a remedy against absent Defendants.

Twynam's
Attorney Bill.

An Act to authorize the Courts of Queen's Bench, Common Pleas, and of Chancery, in Upper Canada, to admit William Edwin Twynam to practise as an Attorney and Solicitor therein.

Montreal River
Police Bill.

An Act to provide for defraying the expense of the River Police of Montreal.

Quebec River
Police Bill.

An Act to provide for defraying the expense of the River Police at Quebec.

Montreal Harbour
Act Amendment
Bill.

An Act to alter the rates of Wharfage payable in certain cases in the Harbour of Montreal.

Debtors Effects
Attachment
Bill (L.C.).

An Act to enable Creditors to attach the effects of Debtors about to leave the Province, in cases under Ten pounds.

Bill relating to
the Municipality
of Drummond.

An Act to transfer the place of holding the Meetings of the Municipal Council of the Municipality of Drummond, Number Two, from French Village in the Township of Kingsey, to the Village of Standfold in the said Municipality.

Building
Societies Bill
(L.C.).

An Act to amend an Act to encourage the establishment of Building Societies in Lower Canada.

Territorial
Divisions Bill
(U.C.).

An Act to make certain alterations in the Territorial Divisions of Upper Canada.

Then, on motion of the Honorable Mr. Badgley, seconded by Mr. Malloch,
 The House adjourned.

FOOTNOTES: 2 AUGUST 1851.

1. A commentary on this matter appeared in JOURNAL DE QUEBEC, 7 August 1851.
2. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 5 August 1851, GLOBE, 5 August 1851, HAMILTON SPECTATOR, 6 August 1851, MONTREAL GAZETTE, 7 August 1851, NORTH AMERICAN, 8 August 1851, and PILOT, 9 August 1851.
3. BRITISH COLONIST, 5 August 1851.
4. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 5 August 1851, GLOBE, 5 August 1851, HAMILTON SPECTATOR, 6 August 1851, EXAMINER, 6 August 1851, MONTREAL GAZETTE, 7 August 1851, NORTH AMERICAN, 8 August 1851, and PILOT, 9 August 1851.
5. BRITISH COLONIST, 5 August 1851.
6. IBID.
7. A commentary on this matter appeared in JOURNAL DE QUEBEC, 7 August 1851.
8. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 5 August 1851, GLOBE, 5 August 1851, HAMILTON SPECTATOR, 6 August 1851, MONTREAL GAZETTE, 7 August 1851, NORTH AMERICAN, 8 August 1851, and PILOT, 9 August 1851. JOURNAL DE QUEBEC, 7 August 1851, noted the debate.
9. JOURNAL DE QUEBEC, 7 August 1851.
10. BRITISH COLONIST, 5 August 1851.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. JOURNAL DE QUEBEC, 7 August 1851.

MONDAY, 4 AUGUST 1851.

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Petitions read.

PURSUANT to the Order of the day, the following Petitions were read:--

Of Aaron Workman and others, of the Township of Hereford, in the District of St. Francis; praying for the completion of the Road from the said Township to Barnston.

Of A.F. Spalding and others, members of the Baptist Church and Congregation assembling in St. Helen Street, in the City of Montreal; praying for the adoption of measures to abolish all labor on the Lord's Day in the Postal Department of the Public Service.

Of the Town Council of the Town of Belleville; praying that authority be given to the Executive Government to issue Letters Patent granting to the Corporation of the said Town, certain lots of land set apart therein and reserved for a Public Hospital, but found to be inadequate for that purpose.

Petition referred.

Resolved, That the Petition of James FitzGerald, of the City of Toronto, be referred to a Select Committee, composed of the Honorable Mr. Sherwood, Mr. Fergusson, the Honorable Mr. Macdonald, the Honorable Mr. Robinson, and Mr. Chauveau, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Negotiation of Loans.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General, the following Return:--

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 2nd instant, praying His Excellency to cause to be laid before the House, copies of any Orders in Council declaring the views of the Government with regard to the negotiation of future Loans, since the Session of 1849.

By Command.

J. LESLIE,

Secretary.

Provincial Secretary's Office,
Toronto, 4th August, 1851.

Copy of a Report of a Committee of the Honorable the Executive Council, on State matters, dated 30th July, 1849; approved by His Excellency the Governor General in Council on the same day.

On a Communication from the Honorable F. Hincks to the Receiver General, respecting a Loan of £500,000.

The Committee of Council have had under consideration two Letters addressed by the Honorable Inspector General to the Honorable the Receiver General, dated Liverpool, the 14th July instant, from which they learn that there is a probability that a loan of £500,000 will be effected through the Firms of Messieurs Baring Brothers & Co., and Glyn, Hallifax, Mills, & Co.; and, also, a copy of a Letter, dated London, the 13th July instant, addressed to the Honorable Mr. Hincks, by Mr. Thomas Baring, of the Firm of Baring Brothers & Co., on the same subject.

Mr. Baring states that it seems very desirable, in order to save time, that Mr. Hincks should ask from Your Excellency a letter, authorizing his proposed proceedings, and also stating that the policy and intention of the Provincial Government is not to increase further the debt, for any purpose whatever, to aid Railways or otherwise.

The Committee beg leave to report that it is by no means the policy of this Government to involve the Province in a larger amount of debts than that already

authorized by Acts of the Provincial Parliament, but on the contrary, that it is their intention to reduce the liabilities of the Province as rapidly as its increasing revenues will permit; in proof of which intention, the Committee beg leave to refer to the Act for the management of the Public Debt, passed last Session.

The Committee at the same time are of opinion, that the pledge held out by the Act of last Session, cap. 29, to afford, under certain circumstances, the assistance of a guarantee of Provincial Credit to certain Chartered Railway Companies, cannot be withdrawn.

The Committee, however, conceive that this will not preclude the negotiation of the Provincial debentures in the English market, when it is considered that, should any of the Railroad Companies put themselves in a position to call for such guarantee, the debentures will not be debentures of the Province, but those of the respective Companies; that the guarantee will not be a guarantee of the capital, but of the interest only, and that on the contingency of the Company being unable to pay it, a power is vested by the Customs Act in the Executive Government, upon being called upon to give such guarantee, to add two per cent. to the Customs as a means of securing the necessary funds to meet the same, and also to impose such terms upon the Railroad Companies as may be deemed necessary before affording such guarantee. That such call cannot be made upon the Government until one-half of the Road shall have been completed by the Company, out

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of their own means; and that the Province is secured by having the preference over all other claims upon the Company, for the amount of its guarantee; and the Committee would also remark that except from the St. Lawrence and Atlantic Railroad Company, there appears little prospect of the Government being called upon for any such guarantee for many years.

It seems to be apprehended that in the event of such guarantee being called for, the debentures of any such Company may, by being thrown into the English money market, produce an injurious effect upon those held by Provincial creditors.

The Committee would however remark, that it will be the anxious desire of this Government, in all its financial operations, to maintain intact the credit of the Province, and with that view to co-operate with and act under the advice of Messieurs Baring Brothers & Co., and Messieurs Glyn, Hallifax, Mills, & Co., and to prevent, by every means in their power, such operation as might have a tendency to injure the credit of the Provincial debentures; and this, the Committee feel confident, can be easily accomplished by a proper exercise of the discretionary powers given by the Act for affording such guarantee, and with the assistance of the two Firms above referred to.

The Committee would, therefore, respectfully recommend that the Honorable the Receiver General be directed by Your Excellency to communicate these views to those Gentlemen, and to transmit them copies of the Act for affording the guarantee above alluded to, of the Customs Act, and of the Act for the management of the Public Debt.

Certified.

Wm. H. Lee,
Acting C.E.C.

Message from
His Excellency.

The Honorable Mr. Price, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Clergy
Reserves.

ELGIN and KINCARDINE.

The Governor General transmits for the information of the

Legislative Assembly, the accompanying copy of a Despatch from the Secretary of State on the subject of the Clergy Reserves.

Government House,

Toronto, 4th August, 1851.

(Copy.) No. 617.

Downing Street, 11th July, 1851.

My Lord,--In my Despatch of the 27th January last, I stated to Your Lordship, that in consequence of the Address to Her Majesty of the House of Assembly, which you transmitted to me in your Despatch, No. 198, of the 19th July, 1850, it was the intention of Her Majesty's Servants to recommend to Parliament that an Act should be passed giving to the Provincial Legislature full authority to make such alterations as they may think fit in the existing arrangements with regard to the Clergy Reserves, provided that existing interests are respected.

2. I have now to inform Your Lordship with reference to the above communication, that from the Meeting of Parliament up to the present time, business of so much urgency has occupied the attention of the House of Commons, that it has hitherto been impossible for Her Majesty's Servants to submit to that House a measure for giving effect to the wishes of the People of Canada on this subject, as expressed by their Representatives, and that the remaining portion of the present Session would not afford a sufficient opportunity for the discussion of a measure of so much importance, and upon which it is probable there may be so much difference of opinion.

3. In these circumstances Her Majesty's Servants are compelled to postpone to another Session the introduction of the Bill to which, in accordance with the intention they have expressed, it is their intention to ask the assent of Parliament.

4. It has not been without great reluctance that we have decided upon thus delaying the proposal of a measure for which it appears that much anxiety is felt by the People of Canada, but on the other hand it has appeared to us that it would be better to incur even this delay, greatly as we have regretted it, than to bring the subject under the consideration of Parliament, until it should be in our power to do so in the manner best calculated to ensure the success of the measure which we shall propose.

5. I trust that it will be practicable to submit that measure to Parliament early in the next session.

6. I have to instruct Your Lordship to communicate this Despatch to both Houses of the Parliament of Canada.

I have, &c.

(Signed,)

GREY.

The Right Honorable

The Earl of Elgin and Kincardine,

&c. &c. &c.

Ordered, That the said Message, with the accompanying Despatch, be printed for the use of the Members of this House.

Private Bills.

Resolved, That the time for receiving Reports of Standing and Select Committees on Local or Private Bills, be further extended until Friday the fifteenth instant.

Manufacturing

Joint Stock

Companies Bill.

Mr. Lacoste reported from the Select Committee on the Bill to amend the Act to provide for the formation of Joint Stock Companies for Manufacturing and other purposes, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Hunting and
Game Bill.

Mr. Taché reported from the Select Committee on the Bill for the regulation of Hunting and the preservation of Game, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Thursday next.

Railway between
Halifax and
Quebec.

Ordered, That the Return relative to a Railway between Halifax and Quebec, presented to this House on the 29th July last, be printed for the use of the Members of this House.

Bill relating to
Municipalities
acquiring Pub-
lic Works.

An engrossed Bill to remove doubts as to Municipal Corporate Bodies acquiring Public Works without the limits of such Municipalities, was, according to Order, read the third time.

Mr. Stevenson moved, seconded by Mr. McConnell, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cayley, Chabot, Chauveau, Christie, Davignon, Duchesnay, Fergusson, Flint, Fortier, Four-nier, Fourquin, Guillet, Hall, Jobin, Lacoste, LaTerrière, Lemieux, Solicitor Gen-eral Macdonald, Macdonald of KINGSTON, Malloch, McConnell, Merritt, Méthot, Mon-genais, Polette, Price, Richards, Sauvageau, Seymour, Sherwood of BROCKVILLE, Sher-wood of TORONTO, Smith of WENTWORTH, and Stevenson.--(38.)

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NAYS.

Messieurs Boulton of NORFOLK, Mackenzie, and Taché.--(3.)
So it was resolved in the Affirmative.

Ordered, That Mr. Stevenson do carry the Bill to the Legislative Council, and desire their concurrence.

Administration of
Justice (U.C.).

Mr. Chauveau, from the Committee to consider the expediency of making provision out of the County Fee Fund and Consolidated Revenue Fund of the Province for the necessary expenses of the administration of Justice in the unsurveyed Tracts of Country in Upper Canada, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient that provision be made out of the County Fee Fund and Consolidated Revenue Fund of this Province, for the remuneration of such Judges, Sheriffs, and other Officers as it may be found necessary to appoint for the better administration of Justice in the unorganized Tracts of Country in Upper Canada, and for providing the necessary Court Houses, Gaols, and Houses of Correction for the same.

The said Resolution, being read a second time, was agreed to.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Tay-lor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

Quebec Incorpor-
ation Bill.

The Legislative Council have passed the Bill, intituled, "An Act further to amend the Ordinances incorporating the City of Quebec," without any Amendment: And also,

Quebec Bank
Bill.

The Legislative Council have passed the Bill, intituled, "An Act to reduce the number of the Directors of the Quebec

Bank," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

MR. MERRITT¹ moved that the House go into Committee of Whole to consider of addressing Her Majesty relative to a line of steamers between Liverpool and Quebec.²

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Steamers be-
tween Great
Britain and
B.N. America.

The Order of the day for the House in Committee to take into consideration certain Resolutions proposed on the 16th June last, respecting the establishment of a Line of Steam Vessels between Liverpool and the River St. Lawrence, being read;

The House accordingly resolved itself into the said Committee.

Mr. Malloch took the Chair of the Committee;

MR. MERRITT moved a series of resolutions of which he had given notice relative to the establishment of a line of ocean steamers between Quebec and Liverpool.³ The hon. gentleman went on to say that this was a proper time to consider this subject. Every measure which had of late been passed by this House had been of the tendency to divert the traffic of the St. Lawrence to the Hudson.⁴ He stated that although the interior freight on flour had been reduced, yet trade still took the route of the Hudson, instead of that by the St. Lawrence. Though much had been done to accomplish the object of the canals; they were still a failure. The Erie canal had taken £755,000, while the Canadian canals received only £100,000. He was prepared to show that this was from our own neglect. It required but an expenditure of £50,000 to complete the water communications, so as to permit the passage throughout of vessels drawing ten feet of water. Was that about to be done? No! on the contrary everything was being diverted to the railroads.⁵ He referred to the visit made⁶ last year⁷ to the mouth of the St. Lawrence⁸ below Quebec⁹ by himself and the members for Montmorency and Quebec¹⁰ to ascertain what could be done to reduce the lower freight.¹¹ The result of that visit and the investigation then made, had satisfied his mind of the practicability of his scheme. Documents which he had in his possession would show the safety of the St. Lawrence route, and the consequent possibility of a very considerable reduction of the rates of insurance.¹² On his return he saw a great many merchants at Quebec, and had learned from them many valuable facts, which had been published in the report of the Board of Works. He was sorry to find, however, that perhaps the most important piece of information of the whole had been omitted. It was the statement of Messrs. Gilmour, that being their own insurers, they had lost only two vessels out of 458, which they had owned during a period of eleven years. Now it was the opinion of many gentlemen that it was impossible to reduce inward freights, because the largest demand for shipping was outwards, and the inward freight could therefore never be a considerable object. But he did not believe that the trade of the St. Lawrence was to be confined to the strip of land called Canada. He desired to obtain the trade of the five millions of people on the southern side of the great Lakes. It was this for which the Canals of Canada had been constructed, and what was wanted was first to throw open the St. Lawrence; and then the establishment of a line of ocean steamers. In this latter respect, nature had singularly favored Canada. It would be possible, by steam navigation to carry to Quebec double the freight at half the fuel which could be done to New York. If that could be done, it was evident that an emigrant or a ton of goods could be conveyed more cheaply from Quebec to Chicago than from New York to Chicago. If that could be accomplished, it was evident that the inward shipping would be indefinitely increased, and of course a large quantity of outward freights must always be offering for outward

cargoes.¹³ He referred to the relative rates of tolls on the Canadian and Erie Canals, with the view of showing the reductions made on the latter, and said we must bear in mind that unless we secure the traffic from Lake Erie to the Ocean, the whole of it will find its way via New York.¹⁴ Mr. Merritt then pointed out the large increase in the size of the Erie Canal, which was about to be undertaken, and argued that unless something were done by Canada, the small amount of her trade now left would be taken from her. This, as he had explained, would be counteracted by completing the water communication for vessels of 1000 tons, instead of the vessels of 200 tons, which would, after the enlargement, still be the heaviest tonnage which could pass the Erie Canal.¹⁵ By a comparatively small outlay, the navigation of the St. Lawrence would be so improved that a vessel of 1000 tons would be able to go direct from Lake Erie to the Ocean, and if this be done, we should be in a position, in one respect, to compete with New York. But we must also reduce our rates of tolls in order to draw traffic on this side of the line. While, however, New York was reducing her tolls, and enlarging her canals, we were standing still, and were instead, about to enter into a great Railway scheme, which would absorb an immense sum without producing any corresponding advantage. The three things which he desired to urge were, the reduction of our canal tolls, the deepening of the St. Lawrence, and the establishment [sic] of a line of Ocean steamers between Liverpool and Quebec.¹⁶ It was said sometimes that there was no fear of the enlargement on the Erie Canal being carried out, on account of the difficulty of borrowing money without the guarantee of the state. For his part, he had no doubt of the money being got and the Canal being built in two years. Then, it would be asked, are we to plunge the country into expense? Yes: £50,000 only would be required to complete the water communication. That would be only £3000 per annum. Then suppose £5000 a year were given to each steamer, the steamers would make the passage once a month:¹⁷ he would have 28 steamers put on.¹⁸ Therefore, with twenty-eight steamers, there would be one voyage a week.¹⁹ (Loud laughter.) Gentlemen might laugh at the number, but he was satisfied that no success could be hoped for from one or two steamers. If we went into the matter at all, we must go into it in a manner that would command success.²⁰ Why he would have fifty steamers, if possible.²¹

MR. H. SHERWOOD.--Where would they run to in winter?²²

MR. MERRITT.--He calculated on them running to Quebec seven months in the year, running the other five to Portland, whence there would be railroad communication to Montreal. The total²³ outlay would not exceed £250,000,²⁴ for the steamers, which was a trifle compared to what had been already expended, and it would be well paid for by tolls on the canals downwards,²⁵ which would give at least £100 toto on each trip. He then went on to show how the British and American steamers received large sums from their respective Governments, and contended that this gave a premium in favour of New York against the interests of Canada. It was true these steamers carried neither flour nor railroad iron; but as they took the finer classes of freight and passengers, this forced the old line of packets to convey freight cheaply.²⁶ Convinced that this undertaking would be productive of incalculable advantage to the province, he proposed that an address should be sent to the Imperial Government, seeking the same bounty to this line which was already granted by that government to the Cunard line, and by the U. States steamers to the Collins or American line.²⁷ He desired then to destroy the superiority which these bounties gave to the Port of New York, by establishing similar advantages in favour of Quebec.²⁸ But for these bounties, we might enter into the competition with fair probabilities of success; but the effects of bounties were shown to our prejudice in the deep sea fisheries and other things, and he was satisfied that nothing but our adoption of the system could place us on an equality with our competitors.²⁹

MR. INSP. GEN. HINCKS said it was unnecessary to follow the hon. gentleman through all his statements, many of which had little connection in relation to the line of ocean stamers [*sic*] from Liverpool to Quebec, and in reference to this he had afforded the House little positive information. He had not stated what the charge would be on the revenues of the province if the system were carried out, nor had he afforded any other of the positive data which the House had a right to expect before coming to a decision in favor of the project. On the other hand, there were facts which led to the belief that any application to the Imperial Government would be futile, and would only tend to impress the British government, and people unfavorably to Canadian enterprise.³⁰ The only aid given to the Cunard line by the American Government was³¹ simply a contract for carrying the mail across the Atlantic. The sum originally fixed was £75,000 but this had been increased to £120,000. What reason was there to suppose that any inducement we could offer to the Imperial government would lead them to establish a mail line between Quebec, or Portland and Liverpool. The Collins' steamer which came out last April, brought only 95 letters for Canada, and the Cunard steamer carried 4,792. Some 5000 letters might therefore be brought per fortnight, which would amount to £6,500 a year; and allowing the same for letters sent the other way, the total would be £13,000. This and similar facts led him to conclude that there was nothing in our circumstances to warrant the establishment of the proposed line of steamers. It was unreasonable to expect that the Imperial government, having entered into a contract with the Cunard line, would pay money out of the treasury to raise up another line, in opposition to the Cunard.³² Then the only question was as to a line of screw steamers.³³ He believed that a line of screw vessels would shortly be established, without a questionable policy which would appropriate a large bonus to divert trade from an undertaking which would be commenced by private capitalists.³⁴ It was certain that the British Government would not contribute for that purpose, and it could hardly be pretended that it would be proper for the Provincial Parliament to pay a large sum to divert the trade from one class of vessels to another, to establish a line of steamers, unprofitable in themselves, or to increase the profits of a profitable line out of taxes raised from the people of Canada.--The true state of the passenger trade had been very properly described by the hon. member for Lincoln. New York had the monopoly of this trade, but she would cease to have it when the railway was once established from Halifax to Quebec, because that line would command the shortest line across the Atlantic.³⁵ Complaints were made with regard to the support which it was proposed to give to railroads,³⁶ [and] he complained that this railway was always assumed to be one that would not pay; and, though he did not take so gloomy a view of the canals as the hon. member, he still believed the railways would be of far more consequence to the country than could be easily imagined. To show the possible advantages of this mode of transit, he read from a statement by Mr. Lindsay, a very large English shipowner, showing that coals were now conveyed from the North of England to London at 3s per ton, instead of 6s, which was the present freight by sea.³⁷ A well informed American merchant had assured him that the increasing business from the West was sufficient to warrant a new line of railway to the Atlantic every year; and he therefore anticipated the most beneficial results to this province from the construction of the proposed railway. One thing that caused freights to be so low at New York was, the great passenger trade of that city, in which indeed it might be said to have a monopoly [*sic*]. In this province the great difficulty was that the outward freight from Quebec, being nearly wholly lumber, was so bulky in proportion to the goods we import that there always would be a much greater proportion of outward than inward freight, and he did not see how in the interim this could be remedied. Until we got the Halifax and Quebec railroad, we should not have a passenger trade; when that railroad was completed, we should have almost an entire monopoly of that trade;

and mails would then be delivered in Toronto or Hamilton as soon as they now were in New York. If this railroad was undertaken by the province, on provincial responsibility we should have advantages over the lines on the other side, which were in the hands of private companies, which would make ours the best on the continent of America. In conclusion, the hon. gentleman repeated his opinion that no reasons had been laid before the House which could justify the adoption of these resolutions.³⁸

MR. CAYLEY thought the Inspector General had not fully met the statement of the hon. member for Lincoln.³⁹ [He] was convinced that there must ever be a struggle between the United States and Canada for Western trade, and therefore felt it was important to carry out any plans which were necessary to place us in a position to compete with our great rival, provided those plans were within our means.⁴⁰ He believed no country could be independent which had not a direct communication with the sea, and that if Canada was to be dependent on the United States, or even on the Sister Provinces for her passage to the sea, it would be a very great misfortune.⁴¹ Without committing himself to the plan before the House, he felt that to reject it absolutely would be to cast a damper upon Canadian enterprise.⁴² He thought that this direct communication ought to be encouraged, though not, perhaps, at a ruinous expense, and believed that the conveyance of letters and flour would⁴³ go far⁴⁴ to pay the expense caused by establishing a line of steamers.⁴⁵ He was not prepared to say that the Province could afford now to make the bonus which was asked for in this matter,⁴⁶ 5000 a-year to one or £50,000 for ten vessels; nor was he ready to say that any vessel could undertake the service for that amount.⁴⁷ But he nevertheless hoped that the time was not distant when a line of steamers would run regularly from Quebec to England.⁴⁸ If it were said that at no time a line of steamers to Quebec would pay, then a line of railways from Quebec to Halifax would not pay. It was clear that the present traffic would not do so.⁴⁹

MR. M. CAMERON was favourable to the scheme, which seemed to him by no means impracticable. The fact that the British Government now gave a large sum yearly to the Cunard line, was the best possible argument in favour of an application by this colony. Mr. Cunard, a Nova Scotian, went to England, and propounded his plans, which were well received, and generally supported: and why should Canada despair of receiving similar encouragement? He beliered [sic] that the plan was feasible, and certainly it was important enough to warrant this House in giving it a careful examination and substantial support. Admitting that much information was still needed, he maintained that sufficient was before the House, to warrant the adoption of the resolutions⁵⁰ [and he] did not see any reason why the Home Government should not do something for a line of steamers to Quebec. It was just as likely to do so as to give a bonus to the trade of New York. Now Quebec was much nearer to Liverpool than New York, and during the summer months, it was clear that the entire American mail might be carried in that manner with advantage during the entire summer months. He did not think the evidence adduced by the hon. Inspector General was at all conclusive on the respective capacities of canals and railroads. The source from which it came was an interested one, and yet the whole evidence of Mr. Lindsay went to show that the shipping had increased in spite of all the alleged difficulties. And it was well known that coal was a peculiar article which must be put upon a railway at any rate for the purpose of shipment. He was of opinion that this line of steamers aid [sic] a reasonable line of railway through the country, and would prevent the necessity for the Halifax road, for which he would be willing to grant a certain sum of money in view of some advantages, though it certainly could not be looked on as a paying line. He agreed with Mr. Merritt in regarding the canals as a failure,--and this, not only in a pecuniary point of view, but as a matter of engineering; and he gave an

account of his own experience to show that much ought to be done to enable vessels to take full advantage of this artificial navigation.⁵¹ As a merchant, owning vessels, he knew to his cost that our canal management needed great and immediate reform.⁵²

MR. ROBINSON deemed this question inseparable from the question of the opening of the St. Lawrence, and he therefore trusted that the gentlemen opposite would express their intentions on the latter matter, without further loss of time.⁵³ [He] contended that the best way to encourage a line of steamers to Quebec, was to throw open the St. Lawrence to all nations⁵⁴ [and this] was not intended for the benefit of the Americans, but for our own benefit.⁵⁵ As to the canals, he did not regard them as a failure; for if they did not pay so great an interest as they were expected to pay, they did pay 3 per cent., and had reduced the inland freight to an extent almost inconceivable beforehand.⁵⁶

MR. INSP. GEN. HINCKS said he had already distinctly stated that Government do not intend to throw the St. Lawrence open.⁵⁷ [He] contended that the American Government, in all probability, would grant reciprocity; and in support of this view stated that the report of Mr. Andrews, which expressly recommended this course had been printed by the American Government. He reproached Mr. Sherwood for what he called his unpatriotic course with respect to reciprocity; and said he did not believe that the opening of the St. Lawrence would cheapen freights, because if goods could be carried cheaper than at present, Canadians had the same chance as the Americans to carry them.⁵⁸

MR. ROBINSON would give up reciprocity to-morrow, if we threw open the St. Lawrence. He did not blame the Government for not obtaining reciprocity; but, on the other hand, Government must not wonder if the House became impatient, and unwilling longer to sacrifice the substance to secure a shadow.⁵⁹

MR. INSP. GEN. HINCKS, in the course of some explanatory remarks,⁶⁰ [spoke] again about the cost of giving a bonus to a line of steamers, [and] he alleged that⁶¹ the bonus which would be required for the proposed line of streamers [sic] would pay the interest of the trunk line of railroad from Halifax to Detroit.⁶² He knew that there was a probability that a line of steamers would be established, and he did not assert positively that a case might not be made out for some favour to the first line which should be established; but if such a pretension were made, a case ought to be made out by those who asked for it.⁶³

MR. W. BOULTON said the feeling of the majority of the Americans was against the partial scheme of reciprocity which our Government had proposed. He was in favour of the resolutions of the hon. member for Lincoln.⁶⁴

MR. H. SHERWOOD also deemed our chance of obtaining reciprocity very slight, and was therefore in favour of the adoption of a policy which would enable us to help ourselves, instead of relying upon others. With regard to the project before the House, he did not say that it might not be desirable, but in the absence of positive information he was not prepared to give to it his support.⁶⁵ [He] opposed the motion as being damaging to the prospects of the great trunk railway.⁶⁶ He was not prepared to pledge the resources of the country to the extent proposed. He did not say with his friend from Hamilton, that his politics were summed up in railroads, but he did wish to see the British provinces connected with the Atlantic by means of railroads; and he believed that this result could now be brought about with the greatest success to Canada. He conceived that this great undertaking would be to some extent prejudiced if we were now to seek assistance from the Imperial Government.⁶⁷

MR. MERRITT replied.⁶⁸ [He] said the Inspector General knows very well that

it is not intended to establish a line of mail steamers, and no man who has read these resolutions would say so. It is intended to establish a line of steamers for freight. The argument of the Inspector General is this, that if this line were at all likely to be profitable, private individuals would undertake [it], and then he tells us in the same breath, he expects individuals will undertake it. Now the whole object is simply this: He wished a line of steamers established for the purpose of cheapening [sic] freight between Liverpool and Quebec in the same proportion as is done between Liverpool and New York. The object is to draw emigrants to Quebec instead of allowing them to go to New York. The course of trade at this moment is, that the emigrant vessels go to New York and there land their passengers, and come to Quebec and get their freight of wood. The object of these resolutions is to do away with this, and to bring these vessels to Quebec with the emigrant trade, and allow them to carry in return our flour and other produce from Chicago to Liverpool. The Inspector-General knows this very well, he is not so thick-headed as not to comprehend this scheme; but he wishes to divert the House from it, and now the hon. member for Toronto rises and says: its object is to frustrate this great Trunk Line. The scheme is one that will bring money to the province, and, will bring back the trade we have now lost. It is said that he had not stated how much this could cost. He had said, give a bonus of £5000 to each steamer. The British Government pay an annual bonus of £145,000 to the Cunard line: and if they give £5000 to each steamer, they would make their trips to Quebec, and in going back again, they would carry our flour and other produce as cheap as vessels going by New York. He was satisfied if they did not adopt the system of giving a bonus; they would never get such a trade established to Quebec; but if it once was started, he was convinced that the return tolls of the trade would pay the bonus every year, and by doing so, they would effect the only object he had intended by these resolutions. The canals hitherto have been a dead failure, because of the cheapness of the Ocean freight from New York to Liverpool, in consequence of the bonus paid by the American and British Government to these two lines of steamers; and he now brought forward these resolutions, with a view to divert this trade to Quebec, in order that the canals may carry out the great purpose for which they were constructed.⁶⁹

MR. INSP. GEN. HINCKS said he considered the proposition was for mail steamers, because if they were mere freight steamers, he could not see on what ground they could go to Government and ask them to give the same sum for their support that they give to the mail steamers. He could not conceive a worse policy than to go to the Imperial Parliament and ask them to support such a proposition.⁷⁰

MR. SHERWOOD said, he had much greater opposition to the proposition since he understood that it was not for mail steamers. To start a line of steam vessels to carry the products of this country to England and thereby compete with private enterprise, was a principle he was completely opposed to, as it was contrary to the commercial policy of any country, and would be doing injustice to those parties who had embarked in the construction of vessels for the carrying of the trade of the country.⁷¹

MR. CAUCHON considered the resolutions laid down a fair principle⁷² [and] at some length declared himself in favour of the establishment of a line of ocean steamers⁷³. If the trade did not spring up spontaneously, it was necessary that they should encourage it in the way proposed. It was said that it was going against the railroad, but he was in favour of both projects, and would support the principle of promoting any plan to bring the trade to the St. Lawrence, because by that means all the western trade would be benefitted. It was well known that the distance was some 480 miles shorter from Quebec to Liverpool than from Liverpool

to New York. He would, therefore, support the proposition⁷⁴, but [he thought] that the Government ought, before it was undertaken, to see exactly what it would cost.⁷⁵

MR. LETELLIER opposed the motion, contending that it was a very bad argument in favour of this line of steamers to represent it as the rival of the Halifax railway. As to the dark veil which persons had cast upon the railway project from time to time, and which the hon. member from Kent had cast upon it that evening, he would say that if the entire emigration to America were brought by that line, it must be a paying line; and as he thought the proposed application to the British Government must be embarrassing to the projected railroad for the present, he would vote against it.⁷⁶

On a division, the resolutions were rejected by a large majority.⁷⁷

MR. INSP. GEN. HINCKS then moved that the committee do rise which was carried.⁷⁸

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and after some time spent therein,

Mr. Speaker resumed the Chair.

School Acts
(L.C.) Amend-
ment Bill.

The Order of the day for the second reading of the Bill to amend and explain the School Acts in force in Lower Canada, being read;

Ordered, That the Bill be read a second time on Tuesday next.

Bill relating
to Meetings of
Relations and
Friends.

The Order of the day for the House in Committee on the Bill to allow Notaries to call meetings of relations and friends in certain cases without being thereto specially authorized by a Judge, and for other purposes, being read;

The House accordingly resolved itself into the said Committee.

Mr. Flint took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Flint reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Bill relating to
Streams and
Rivers in Upper
Canada.

The Order of the day for the second reading of the Bill to repeal the Acts 7 Vic. cap. 36, and 10 & 11 Vic. cap. 20, on the subject of imposing Fines on Mill-Owners and others, for throwing Slabs into and otherwise obstructing Streams and Rivers in Upper Canada, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Bill relating
to Pleading in
Courts, and to
Queen's Counsel.

The Order of the day for the second reading of the Bill to authorize Her Majesty's Subjects to plead and reason for themselves or others in all Her Majesty's Courts in Canada, and to abolish the title of distinction of Queen's Counsel, being read;

Mr. Mackenzie moved, seconded by Mr. Letellier, and the Question being proposed, That the Bill be now read a second time;

And a Debate arising thereupon;⁷⁹

MR. MACKENZIE then⁸⁰ stated that in France at present, any person was allowed to practise in the courts. On the other hand formerly in England and other

English countries, the bar was carefully shut against any who had not gone through certain preliminaries. In Ireland no Catholic was allowed to plead. The same rule used also to prevail in Nova Scotia; but lately Mr. Howe had carried a bill there to open it to any one⁸¹. The hon. gentleman did not see why the bar should be closed here, when in many of the states of the Union any person was allowed to practise⁸² and in New York State, any one could go up for examination, who knew his profession, no matter where that profession had been learned.⁸³ Men were allowed to select their own ministers, and why not be allowed to select their own lawyers. The country wished to get rid of this principle of monopoly because it was contrary to the genius of the age. He for example had been engaged in making laws and yet he was prevented from going into open court and pleading.⁸⁴ He desired any man who chose to do so, to stick up his shingle, and call himself a lawyer, just as he could do if he were a watch-maker. The ablest man would always get the greatest practice, and the great objection to the present system was that it gave a certificate of character to the very sticks.⁸⁵ He quoted from his *[sic]* writings of Lord John Russell, Lord Brougham and others in reference to the mystery of law. He wanted the laws of the country simplified and the more simplified they were the better would they be obeyed. He referred to the case of Sir William Campbell who kept the place warm for Chief Justice Robinson and then retired with a pension of £1200, and also of Judge Dodd of Nova Scotia, neither of these gentlemen having studied law, the former was a sergeant major, the latter was brought up as a sailor, and yet they arrived at great eminence as lawyers. One of the greatest evils connected with our Law was that whatever was done in Westminster required to be introduced here, we required to follow precedent; but if they followed precedents in law why not in many other cases.⁸⁶ He went on to make some general remarks in favour of opening the legal profession.⁸⁷

Before the hon. gentleman had come to the conclusion of his remarks the half hour had elapsed and he was called to order by MR. MORIN the SPEAKER⁸⁸.

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And Mr. Speaker having acquainted the House that Mr. Mackenzie had spoken to the Question for half an hour, the time to which each Member is restricted by the Order of the House, of the 16th July last.

Mr. Morrison moved, seconded by Mr. Scott of Two Mountains, and the Question being put, That the Honorable Member be further heard on the Question;

MR. SHERWOOD said the hon. member was talking upon a question that no one was paying attention to, and yet any honourable member rises--being a lawyer himself --and asks that a license be given.--He was prepared either to repeal the law which restricts them to half an hour, or to abide by it.⁸⁹

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of TORONTO, Bouthillier, Burritt, Cameron of KENT, Cayley, Davignon, Solicitor General Drummond, Fergusson, Fortier, Fourquin, Guillet, Hincks, Letellier, Mackenzie, McConnell, McFarland, Morrison, Notman, Polette, Richards, Scott of TWO MOUNTAINS, and Sherwood of BROCKVILLE.--(23.)

NAYS.

Messieurs Badgley, Baldwin, Chabot, Chauveau, Duchesnay, Dumas, Jobin, Lacoste, LaTerrière, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, Mongenais, Price, Prince, Robinson, and Sherwood of TORONTO.--(18.)

So it was resolved in the Affirmative.

Mr. Mackenzie then again spoke to the Question.

MR. MACKENZIE resumed. He thought if the law were open to all we would be far better of [*sic*] than we are. If every one was a lawyer no one could speak against the profession. Again the lawyers monopolize all political offices in the country. In this House the same was evident--the lawyers were too numerous; and here, as was stated by any honourable member, the session was called, to suit the lawyers, at a time most inconvenient to farmers and other parties to attend. He respected a man of talent whether a lawyer or not. He referred to Roger Sherman, a shoemaker in the States, at the time of the Revolution, who rose to be a most eminent Judge. If the law was common sense, why prevent 999 out of the 1000 from pleadings and, if not common sense, then the sooner they are made so the better. He would rather submit to have a hereditary nobility than to have close corporation of law. Really, able lawyers need fear no competition whatever, it is only the small fry that need be apprehensive. He concluded by reading from Lord Roslin a definition of what constituted a complete lawyer.⁹⁰

COL. PRINCE opposed the bill contending that it was an absurdity⁹¹. He did not wish to say a word upon this most absurd of all bills, were it not that he saw the House willing to entertain it so far. Such a farrago of nonsense was never put upon paper.--The whole bill is not worth the paper and the ink used in printing it. The hon. member who has introduced this bill is a remarkable man. He comprehends Law, Physic, Divinity, Clergy Reserves, and everything else. He debates upon all things conceivable and inconceivable with so much fluency as to really make it appear to some minds that he comprehends what he pretends to talk upon.--With reference to the first part of the bill, it is already the law of the land. Any man living in Great Britain or its dependencies, who is sued or impleaded, or who sues or impleads, has a right to defend himself, in our courts of law. But when you come to talk of trusting the interests of suitors to men who can not understand anything, with reference to the science of the law, you at once disturb everything that has existed from the time of Cicero downwards, and will produce a chaos and confusion in the eyes of law and justice, which would be destructive of the best interests of all those suitors who went into courts of justice to obtain their rights.--There could be no doubt of the fact that law is a science, about which some men may never be competent to decide, and to allow such persons to be entrusted with the interests of others would be the greatest injustice. As the Bill of the member for Haldimand lays down the difficulties attending the interpretation of the law, how can he suppose an illiterate person would be capable of deciding in what he admits to occasion the greatest differences of opinion among the most learned. In regard to what the member for Haldimand expressed, the immorality of a lawyer knowingly defending a criminal, he must say, that the lawyer who would refuse to take up the case of a criminal was unworthy of the position of a lawyer. He was ignorant of the christian principles of law. Such a bill as this would occasion blunders from one end of the country to another. There would be absurd verdicts; there would be ten times the litigation; ten times the expense, and thirty times the misery that exists at present. One part of the bill he agreed with.--The office of Queen's Counsel he considered useless. He would destroy this office.⁹² He ridiculed, in a severe manner the calling of judges "my lord!"⁹³ He would also destroy such absurdities⁹⁴. He looked upon such a practice with contempt. He went over an argument that was the proper appellation to apply to judges.⁹⁵ Why not abolish the office of Queen's Counsel; it was an utterly useless one. But the member for Haldimand is wrong when he says that a Queen's Counsel has precedence of every other counsel. This was not the case, and he wished to put the hon. member right on this point, as he believed he had really good intentions in bringing forward this bill. He, no doubt, imag-

ined that he would be able to simplify the law, but he had been mistaken, and therefore, he (Mr. P.) would oppose the second reading of the bill.⁹⁶

MR. SOL. GEN. DRUMMOND followed, vindicating the lawyers from aspersions thrown upon them by the hon. member for Haldimand; and argued that the lawyers had ever been the champions of freedom.⁹⁷ [He] corrected Mr. Mackenzie in his quotations from Lord John Russell's work on the British Constitution; and wished to show from that work that he had not given a fair idea of the opinion entertained by his Lordship on the profession and professors of law.--When he looked back to the proud names of history, he was not ashamed of the profession. When France was battling for her rights, who was it that was found, standing in the van, defending not only those calling themselves the people, but tempering the excitement of the people, and maintaining an equal course? But every country had produced some of the brightest examples of virtue, valor, and honesty in the legal profession.⁹⁸ He then condemned the principle of the bill.⁹⁹ Were this Bill passed into law, every man that distinguished himself would make enormous charges, and at the same time would be freed from all responsibility.¹⁰⁰

MR. NOTMAN supported the motion, saying¹⁰¹ that last Session he introduced a measure having precisely the same object as this bill, but it was referred to a committee and smothered; and he apprehended that the bill before the House would share the same fate. He never did and never could concur in the view of those who imagined that a man could not plead a case in a court of law, and do justice to his client, unless he was versed in Cicero. There were men of strong sense and natural talent who would do credit to a court of law, although not profound in Latin.--He should vote for the second reading of the bill, with a hope that it would undergo considerable modifications in Committee.¹⁰²

MR. MALLOCH considered the bill an absurdity, that could be productive of no good, and moved¹⁰³ to give the bill "a three months hoist"¹⁰⁴.

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And the Question being again proposed, That the Bill be now read a second time;

Mr. Malloch moved in amendment to the Question, seconded by Mr. Smith of Frontenac, That the word "now" be left out, and the words "this day three months" added at the end thereof;

MR. RICHARDS read a clause of the bill from which he inferred that the judges were to be made elective, and to that he could not at all consent. There were many other matters in the measure which were objectionable, if not absurd. He was not an advocate of monopoly in any shape, and with proper restrictions as to the knowledge possessed by individuals before being allowed to act as Attorneys and Counsel, he had no objection to the opening of the profession, provided, moreover, that the checks which were now imposed, to preserve the honour of advocates, be continued.¹⁰⁵

MR. LETELLIER (in French) spoke in favour of the bill, and denied the validity of many of the objections that had been urged against it.¹⁰⁶

MR. MACKENZIE replied, renewing his assaults upon the profession with unabated rigour.¹⁰⁷ [Il] déclara que le peuple du Haut-Canada était favorable à la mesure, et qu'on avait trouvé qu'une loi à cet effet fonctionnait très bien dans quelques-uns des Etats Unis et dans la Nouvelle-Ecosse. Il dit que lui-même avait autrefois battu Draper dans une poursuite pour libelle.¹⁰⁸

MR. H. SMITH (Frontenac) replied jocosely, and¹⁰⁹ held up a commission of the rebel army, on which was a picture of a Yankee eagle running away with the British

lion.¹¹⁰ [He] proposed to read ... [the] "commission" which he said had been issued in the rebel army of which the hon. member for Haldimand was general.¹¹¹

Loud laughter.¹¹²

MR. MACKENZIE rose to order and asked what that had to do with it, amid increased shouts of laughter.¹¹³

MR. H. SMITH said he wished to make a comparison between a commission of the rebel army, and the lawyers' commissioners alluded to by the hon. member for Haldimand. He was proceeding to read the commission, when¹¹⁴--

MR. MACKENZIE denied its genuiness,¹¹⁵ [and] said there was no truth in it, --¹¹⁶

MR. MORIN the SPEAKER decided that it was irregular to read it.¹¹⁷

MR. H. SMITH went on in a facetious manner to ridicule Mr. Mackenzie, and his general's commission.¹¹⁸

A few words ... [came from] MR. AT. GEN. LAFONTAINE.¹¹⁹

COL. PRINCE referred to O'Connell's case, in reply to some remark of Mr. Mackenzie, and deduced from the decision of the House of Lords in that case, an argument in favour of the sole competency of lawyers to interpret law.¹²⁰

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Boulton of TORONTO, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Davignon, Duchesnay, Dumas, Flint, Fortier, Fourquin, Hall, Hincks, Jobin, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Lemieux, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, Méthot, Polette, Prince, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Taché.--(38.)

NAYS.

Messieurs Bell, Burritt, Cameron of KENT, Fergusson, Fourquin, Guillet, Letellier, Lyon, Mackenzie, McFarland, Morrison, Notman, Price, Richards, and Scott of BYTOWN.--(15.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day three months.

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Municipal Law
(L.C.) Amend-
ment Bill.

The Order of the day for the second reading of the Bill to amend and declare the meaning of certain enactments relating to the Municipal Law of Lower Canada, being read;

Ordered, That the Bill be read a second time on Wednesday next.

Quebec Turn-
pike Roads
Bill.

The Order of the day for the second reading of the Bill to authorize the Quebec Turnpike Road Trustees to effect a new Loan, and to extend the provisions of the Quebec Turnpike Road Ordinance to certain other Roads, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for to-morrow.

Joint Stock
Road Com-
panies Bill
(U.C.).

The Order of the day for the House in Committee on the Bill to amend the Act, intituled, "An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada," and to extend the provisions thereof, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Chabot took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Chabot reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Enregistration
of Titles
(L.C.) Bill.

The Order of the day for the second reading of the Bill to amend the Ordinance to regulate the Enregistration of Titles in Lower Canada, being read;

The Bill was accordingly read a second time; and referred to the Select Committee to which was referred the Bill to amend the Registry Ordinance of Lower Canada.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Notman, seconded by Mr. McFarland,
The House adjourned.

FOOTNOTES: 4 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 5 August 1851, MONTREAL GAZETTE, 8 August 1851, NORTH AMERICAN, 8 August 1851, HAMILTON SPECTATOR, 9 August 1851, which copied from BRITISH COLONIST, MORNING CHRONICLE, 9 August 1851, PILOT, 12 August 1851, and LA MINERVE, 9 August 1851. The debate was also reported by: GLOBE, 5 August 1851; and EXAMINER, 6 August 1851. LA MINERVE, 7 August 1851, noted the debate.
2. GLOBE, 5 August 1851.
3. BRITISH COLONIST, 5 August 1851.
4. GLOBE, 5 August 1851.
5. BRITISH COLONIST, 5 August 1851.
6. GLOBE, 5 August 1851.
7. BRITISH COLONIST, 5 August 1851.
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9. BRITISH COLONIST, 5 August 1851.
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11. BRITISH COLONIST, 5 August 1851.
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14. GLOBE, 5 August 1851.
15. BRITISH COLONIST, 5 August 1851.
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17. BRITISH COLONIST, 5 August 1851.
18. GLOBE, 5 August 1851.
19. BRITISH COLONIST, 5 August 1851.
20. GLOBE, 5 August 1851.
21. BRITISH COLONIST, 5 August 1851.
22. GLOBE, 5 August 1851.
23. IBID.
24. BRITISH COLONIST, 5 August 1851.
25. GLOBE, 5 August 1851.
26. BRITISH COLONIST, 5 August 1851.
27. GLOBE, 5 August 1851.
28. BRITISH COLONIST, 5 August 1851.
29. GLOBE, 5 August 1851.
30. IBID.
31. BRITISH COLONIST, 5 August 1851.
32. GLOBE, 5 August 1851.
33. BRITISH COLONIST, 5 August 1851.
34. GLOBE, 5 August 1851.
35. BRITISH COLONIST, 5 August 1851.
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37. BRITISH COLONIST, 5 August 1851.
38. GLOBE, 5 August 1851.
39. BRITISH COLONIST, 5 August 1851.
40. GLOBE, 5 August 1851.
41. BRITISH COLONIST, 5 August 1851.
42. GLOBE, 5 August 1851.
43. BRITISH COLONIST, 5 August 1851.
44. EXAMINER, 6 August 1851.
45. BRITISH COLONIST, 5 August 1851.
46. GLOBE, 5 August 1851.
47. BRITISH COLONIST, 5 August 1851.

48. GLOBE, 5 August 1851.
49. BRITISH COLONIST, 5 August 1851.
50. GLOBE, 5 August 1851.
51. BRITISH COLONIST, 5 August 1851.
52. GLOBE, 5 August 1851.
53. IBID.
54. BRITISH COLONIST, 5 August 1851.
55. GLOBE, 5 August 1851.
56. BRITISH COLONIST, 5 August 1851.
57. GLOBE, 5 August 1851.
58. IBID.
59. IBID.
60. IBID.
61. BRITISH COLONIST, 5 August 1851.
62. GLOBE, 5 August 1851.
63. BRITISH COLONIST, 5 August 1851.
64. GLOBE, 5 August 1851.
65. IBID.
66. BRITISH COLONIST, 5 August 1851.
67. GLOBE, 5 August 1851.
68. BRITISH COLONIST, 5 August 1851.
69. GLOBE, 5 August 1851.
70. IBID.
71. IBID.
72. IBID.
73. BRITISH COLONIST, 5 August 1851.
74. GLOBE, 5 August 1851.
75. BRITISH COLONIST, 5 August 1851.
76. IBID.
77. GLOBE, 5 August 1851.
78. BRITISH COLONIST, 5 August 1851.
79. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 5 August 1851, EXAMINER, 6 August 1851, MONTREAL GAZETTE, 8 August 1851, NORTH AMERICAN, 8 August 1851, HAMILTON SPECTATOR, 9 August 1851, which copied from BRITISH COLONIST, MORNING CHRONICLE, 9 August 1851, PILOT, 12 August 1851, OTTAWA CITIZEN, 16 August 1851, and LA MINERVE, 9 August 1851. The debate was also reported by GLOBE, 7 August 1851. LA MINERVE, 7 August 1851, noted the debate.
80. GLOBE, 7 August 1851.
81. BRITISH COLONIST, 5 August 1851.
82. GLOBE, 7 August 1851.
83. BRITISH COLONIST, 5 August 1851.
84. GLOBE, 7 August 1851.
85. BRITISH COLONIST, 5 August 1851.
86. GLOBE, 7 August 1851.
87. BRITISH COLONIST, 5 August 1851.
88. GLOBE, 7 August 1851.
89. IBID.
90. IBID.
91. BRITISH COLONIST, 5 August 1851.
92. GLOBE, 7 August 1851.
93. BRITISH COLONIST, 5 August 1851.
94. GLOBE, 7 August 1851.
95. BRITISH COLONIST, 5 August 1851.
96. GLOBE, 7 August 1851.

97. BRITISH COLONIST, 5 August 1851.
98. GLOBE, 7 August 1851.
99. BRITISH COLONIST, 5 August 1851.
100. GLOBE, 7 August 1851.
101. IBID.
102. IBID.
103. BRITISH COLONIST, 5 August 1851.
104. GLOBE, 7 August 1851.
105. IBID.
106. IBID.
107. IBID.
108. LA MINERVE, 7 August 1851.
109. GLOBE, 7 August 1851.
110. BRITISH COLONIST, 5 August 1851.
111. GLOBE, 7 August 1851.
112. BRITISH COLONIST, 5 August 1851.
113. IBID.
114. IBID.
115. GLOBE, 7 August 1851.
116. BRITISH COLONIST, 5 August 1851.
117. IBID.
118. IBID.
119. GLOBE, 7 August 1851.
120. IBID.

TUESDAY, 5 AUGUST 1851.

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Stevens' Attainder
Reversal Bill.

AN engrossed Bill from the Legislative Council, intituled, "An Act to reverse the Attainder of Aaron Stevens, and avoid the forfeiture of certain of his estates, and for other purposes therein mentioned," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Price do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, without any Amendment.

Manufacturing
Joint Stock Com-
panies Bill.

An engrossed Bill to amend the Act to provide for the formation of Joint Stock Companies for Manufacturing and other purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Lacoste do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to
Meetings of Rela-
tions and Friends.

An engrossed Bill to allow Notaries to call meetings of relations and friends in certain cases without being thereto specially authorized by a Judge, and for other purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Lacoste do carry the Bill to the Legislative Council, and desire their concurrence.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment;
viz:--

Mortgagees
Relief Bill.

Bill, intituled, "An Act for the relief of Mortgagees:"

Kamouraska and
Aylmer Court Houses
and Gaols Bill.

Bill, intituled, "An Act to appropriate all monies accruing out of Tavern Licences in the Counties which form the District of Kamouraska, and in the County of Ottawa, towards defraying the cost of the Court House and Goal erected at Kamouraska, and the Court House and Goal now being erected in Aylmer:"

Indians (L.C.)
Property Protec-
tion Bill.

Bill, intituled, "An Act to repeal in part and to amend an Act, intituled, "An Act for the better protection of the Lands and Property of the Indians in Lower Canada:" And also,

Magistrates
Protection Bill.

The Legislative Council have passed the Bill, intituled, "An Act to amend and consolidate the Laws affording protection to Magistrates and others in the performance of public duties," with several Amendments, to which they desire the concurrence of this House: And also,

Bill relating to
Deer and the
Game Laws.

The Legislative Council have passed the Bill, intituled, "An Act to prevent the hunting of Deer with Hounds at improper seasons of the year, and further to amend the Laws

for the preservation Game," with several Amendments, to which they desire the concurrence of this House: And also,

Savings Bank Act
Continuation Bill.

The Legislative Council have passed a Bill, intituled,
"An Act to continue for a limited time an Act, intituled,
An Act to encourage the establishment of and regulate

Savings Banks in this Province," to which they desire the concurrence of this House: And also,

Belleville Hospital
Reserve Bill.

The Legislative Council have passed a Bill, intituled,
"An Act to allow a grant of the Hospital Reserve, Belle-
ville, to the Town Council," to which they desire the

concurrence of this House.

And then he withdrew.

Savings Banks'
Act Continuation
Bill.

An engrossed Bill from the Legislative Council, intituled
"An Act to continue for a limited time an Act, intituled,
"An Act to encourage the establishment of and regulate
Savings Banks in this Province," was read the first time.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,

Ordered, That the Bill be read a second time tomorrow.

Belleville Hospital
Reserve Bill.

An engrossed Bill from the Legislative Council,
intituled, "An Act to allow a grant of the Hospital
Reserve, Belleville, to the Town Council," was read the

first time.

On motion of Mr. Flint, seconded by the Honorable Mr. Baldwin,

Ordered, That the Bill be read a second time tomorrow.

Bill relating to
Deer and the
Game Laws.

Ordered, That the Amendments made by the Legislative
Council to the Bill, intituled, "An Act to prevent the
hunting of Deer with Hounds at improper seasons of the
year, and further to amend the Laws for the preserva-

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tion of Game," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration;
and the same were read, as follow:--

Press 1, line 17. After "hounds" insert "or dogs."

Press 1, line 18. After "hound" insert "or dog."

Press 1, line 35. After "hounds" insert "or dogs."

Press 1, line 36. After "hound" insert "or dog."

In the Title of the Bill:

Line 1. Leave out from "Deer" to "at" in line 2.

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. McFarland do carry back the Bill to the Legislative Council, and
acquaint their Honors that this House hath agreed to their Amendments.

Quebec
Bank Bill.

Ordered, That the Amendments made by the Legislative
Council to the Bill, intituled, "An Act to reduce the
number of the Directors of the Quebec Bank," be now

taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration;
and the same were read, as follow:--

Press 1, line 28. Leave out "seven" and insert "any."

Press 1, line 29. Leave out from "but" to "and" in line 31, and insert "all of
them shall be eligible for re-election."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Chabot do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Magistrates Protection Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend and consolidate the Laws affording protection to Magistrates and others in the performance of public duties," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 29. After "any" insert "judgment or."

Press 2, line 2. After "the" where it occurs the second time, insert "Court or."

Press 2, line 4. After "the" insert "Court or."

Press 2, line 7. After "a" insert "judgment or."

Press 2, line 12. After "County" insert "in Upper Canada," and after "District" insert "or Circuit in Lower Canada, as the case may be."

Press 2, line 16. After "any" insert "other," and after "County" insert "in Upper Canada."

Press 2, line 17. After "District" insert "or Circuit in Lower Canada, as the case may be."

Press 2, line 18. After "Judge" insert "thereof."

Press 2, line 20. After "District" insert "or Circuit."

Press 2, line 38. After "non-pros" insert "or otherwise."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Cameron of Cornwall do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Sons of Temperance Bill (U.C.).

The Order of the day for the second reading of the Bill to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance in

Canada West, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Joint Stock Road Companies Bill (U.C.).

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to amend the Act, intituled, "An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada," and to extend the provisions thereof, being read;

And the Question being proposed, That the Report be now received;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill, as amended, be now recommitted, for the purpose of adding the following Clause thereto: "And be it enacted, that notwithstanding any irregularity which may have occurred in the formation of any Joint Stock Company for the construction of any Road or other work under the provisions of the said in part recited Act, and notwithstanding all the requirements of the fourth Clause of the said in part recited Act may not have been strictly complied with, all such Companies which shall bonâ fide have proceeded in the construction of any Road or other work shall be held to have been duly organized, formed and constituted under the said Act, anything therein to the contrary thereof notwithstanding;"

Mr. Malloch moved in amendment to the said proposed Amendment, seconded by Mr. Lyon, That the words "and that any Company heretofore formed under the provisions of the said in part recited Act shall not be entitled to the corporate powers and provisions in the said in part recited Act, if such Company shall have been formed in a clandestine manner, and shall have kept the formation of such Company secret from the Municipal Corporation within which the Road lies for the construction of which such Company was formed, until the work was commenced on such Road by the said Company" be added at the end thereof;

And the Question being put, That those words be there added; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Lyon, and Malloch.--(2.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Crysler, Davignon, Solicitor General Drummond, Duchesnay, Flint, Fortier, Fournier, Fourquin, Gugy, Guillet, Hincks, Holmes, Hopkins, Jobin, Johnson, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McConnell, McFarland, Méthot, Mongenais, Price, Richards, Robinson, Sankhorn, Seott of BYTOWN, Sherwood of TORONTO, Stevenson, Taché, and Viger.--(44.)

So it passed in the Negative.

And the Amendment to the Original Question being again proposed, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill, as amended, be now recommitted, for the purpose of adding the following Clause thereto: "And be it enacted, that notwithstanding any

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irregularity which may have occurred in the formation of any Joint Stock Company for the construction of any Road or other work under the provisions of the said in part recited Act, and notwithstanding all the requirements of the fourth Clause of the said in part recited Act may not have been strictly complied with, all such Companies which shall bonâ fide have proceeded in the construction of any Road or other work shall be held to have been duly organized, formed and constituted under the said Act, anything therein to the contrary thereof notwithstanding;"

Mr. Lyon moved in amendment to the said proposed Amendment, seconded by Mr. Malloch, That the words "nor shall any Company heretofore formed under the provisions of the said in part recited Act be entitled to the corporate powers and provisions conferred by the said in part recited Act, if such Company, or the formation or continuance of such Company, has been or shall have been disapproved of or disallowed by a By-Law of the Municipal Council of the Township or County within which the Road wholly lies for the construction of which such Company has been formed; provided such By-Law has been or shall have been passed by any such Municipal Council within three months from the registration of any such Company" be added at the end thereof;

And the Question being put, That those words be there added; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Lyon, and Malloch.--(2.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Crysler, Solicitor General Drummond, Dumas, Flint, Fournier, Fourquin, Gugy, Guillet, Hall, Hincks, Holmes, Hopkins, Jobin, Johnson, Lacoste, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McConnell, McFarland, Méthot, Mongenais,

Polette, Price, Richards, Robinson, Sanborn, Scott of BYTOWN, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, Taché, and Viger.--(50.)

So it passed in the Negative.

And the Amendment to the Original Question being again proposed, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill, as amended, be now recommitted, for the purpose of adding the following Clause thereto: "And be it enacted, that notwithstanding any irregularity which may have occurred in the formation of any Joint Stock Company for the construction of any Road or other work under the provisions of the said in part recited Act, and notwithstanding all the requirements of the fourth Clause of the said in part recited Act may not have been strictly complied with, all such Companies which shall *bonâ fide* have proceeded in the construction of any Road or other work shall be held to have been duly organized, formed and constituted under the said Act, anything therein to the contrary thereof notwithstanding;"

Mr. Richards moved in amendment to the said proposed Amendment, seconded by the Honorable Mr. Hincks, That the words "Provided that nothing in this Clause contained shall be construed to confirm the establishment of any such Company when any irregularity has occurred in the formation of the same, unless such Company shall have *bonâ fide* proceeded to and continued the construction of such Road or work at least twelve months before the passing of this Act, and concerning which no proceeding is pending in any Court of Law or Equity in this Province to test the legality of the establishing of such Company" be added at the end thereof;

And the Question being put, That those words be there added; The House divided:--And it passed in the Negative.

And the Question being put on the Amendment to the Original Question; the House divided: and the names being called for, they were taken down, as follow:--

YEA.

The Honorable Mr. Boulton.--(1.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Crysler, Davignon, Solicitor General Drummond, Dumas, Flint, Fournier, Fourquin, Gagy, Guillet, Hall, Hincks, Holmes, Hopkins, Jobin, Johnson, Lacoste, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General MacDonald, Mackenzie, Malloch, McConnell, McFarland, Méthot, Mongenais, Polette, Price, Richards, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, Taché, and Viger.--(50.)

So it passed in the Negative.

Then the main Question being put;

Ordered, That the Report be now received.

The Honorable Mr. Chabot reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Railways General
Clauses Bill.

The Order of the day for the second reading of the Bill to consolidate and regulate the General Clauses relating to Railways, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

Ordered, That it be then the first Order of the day.

Military Pensioners.

The Order of the day for the House in Committee to consider the expediency of securing the services of Military Pensioners as a Local Police, being read;

The House accordingly resolved itself into the said Committee.

*Mr. Lyon took the Chair of the Committee*¹;

The House then went into committee on the Resolutions proposed a few evenings ago, on the subject of employing the military pensioners as policemen.²

This led to a discussion which was nearly a repetition of that which took place when the matter was formerly before the House.³

MR. ROBINSON declared his opposition to the whole affair⁴ on account of the expense.⁵

MR. INSP. GEN. HINCKS said it was not proposed to fix any of these persons as a permanent police force, but only to take advantage of them if they required to do so, in the event of any riot such as that which had occurred lately on the Great Western Railway and had cost the Province £2,000. Government did not want to employ them permanently, nor did they ask any money to support them. All they wanted was liberty to employ them if necessary.⁶

MR. W. BOULTON was satisfied that if once they were employed in that way there would be constant rumors of disturbances kept up, so that they would never be out of employment. He believed the true policy was to incorporate in the General Railway Bill, a clause to the effect that these parties shall always be compelled to maintain the peace. It was well known that these strikes and disturbances arise from the fact that the contractors will insist upon paying their workmen with all sorts of things but money, and when they do not get what they work for they consequently gather together and strike. As this was the general cause of such disturbances such a clause in the Railway bill might be beneficial. He was afraid, however, that this was but the first step to force upon the province a permanent police force.⁷

MR. INSP. GEN. HINCKS said the hon. gentleman was entirely mistaken. There was no desire that these pensioners be employed as a police force; they were to be located upon land here without any idea of being employed in this way. But he still considered that in the event of any outbreak, they would be the best possible description of persons to employ.⁸

MR. ROBINSON was convinced the sending of these people backwards and forwards, would cost a far greater amount than to get people to put down any disturbances that might arise.⁹

MR. SOL. GEN. DRUMMOND referred to the disturbances which had take [sic] place at Hamilton and other places, as showing a necessity that something should be done to protect the peace of the country. The plan proposed, he considered, would be the least expensive mode.¹⁰

MR. INSP. GEN. HINCKS said the junior member had talked about the expense, but that had nothing at all to do with the question. Every one of the Railway Companies was desirous of having such men to keep order on their lines; but the present question was not of money, we merely ask to be allowed to avail ourselves of these persons when they come here.¹¹

MR. W. BOULTON while admitting the desirableness of having a force to put down disturbances, or to protect large assemblages, could not see the propriety of forcing upon the country a rural police, such as they have in Ireland, constantly in operation.¹² [He] opposed it from the fear he entertained that these pensioners would be employed¹³ for improper purposes, such¹⁴ as a partizan force at elections. But for that he would not oppose the resolutions.¹⁵ If there was a clause in the

bill to determine that they will only be called out upon any emergency, it would materially diminish his objection.¹⁶

MR. H. SHERWOOD did not see the disadvantage of this force which occurred to other gentlemen.¹⁷ [He] said it was quite impossible to say what were the provisions of the bill until it was laid before the House, but from anything he could gather, he did not think it liable to the objections of his hon. colleague.¹⁸ The present bill did not alter the law, which would still allow magistrates to employ special constables¹⁹ if they thought proper although the garrison was full of these pensioners²⁰ and which now permitted them to employ troops if they thought proper. He thought the pensioners would be a convenience and cheap police force²¹ [and] he thought that in many instances, a force such as that contemplated may be made extremely useful. They would form a much better means of putting down any disturbance, that might occur between religious bodies, than by taking the one party to put down the other to whom they were opposed, and as no expense was to be entailed upon the government, he could not see any objections to the resolutions.²²

COL. GUGY also supported the resolutions.²³

MR. INSP. GEN. HINCKS replied that in the event of any disturbance at an election, these pensioners would be the best parties to put it down, as they would not be mixed up in partizan feelings with any of the parties.²⁴ The only influence the pensioners could exercise in carrying elections was to prevent them from being carried by force.²⁵

MR. SOL. GEN. DRUMMOND said these pensioners would be very useful in difficulties between citizens because they would be impartial which special constables were not. He knew an election where a great number of special constables were sworn in and armed with blue sticks, but the man who made the sticks gave notice to the other party, and the whole city was impartially armed with blue sticks.²⁶

MR. BADGLEY did not see the necessity for the proposition. If they were to be organized as a military force, he could easily understand the effect they would have upon a mob, but if occupied merely as a police force, he could not see the great necessity for such a thing.²⁷

In answer to Mr. Badgley, MR. INSP. GEN. HINCKS explained that these pensioners would be a regular military force²⁸. [He] explained that they would be called out twelve days in every year for military exercises, and would be kept in regular discipline every way, at the expense of Great Britain. All that he wanted was, that they might have the power to call them out as a police force, in which case they would not use their arms unless required to do so by the civil authority in command.²⁹

The resolutions were then carried and reported to the House.³⁰

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lyon reported, That the Committee had come to several Resolutions; which were read, as follow:--

1. Resolved, That it is expedient that any of the Military and Naval Pensioners who, under the Imperial Acts in force in that behalf, shall be enrolled as a Local Force for the preservation of the Peace in any part of this Province, and who shall volunteer to serve also as members of the Local Police Force in such part of this Province, or any other person volunteering to serve as aforesaid and duly qualified, may be enrolled to be so employed, when required, under such superintendence and control as the Governor in Council shall think proper, provided the number so employed at any one time shall not exceed five hundred.

2. Resolved, That it is expedient that the said Pensioners or other persons when actually employed as members of such Police Force, should receive out of Provincial or Local Funds, the same pay and advantages as are allowed to the said Pensioners by Her Majesty's regulations in that behalf, when called out as Military Pensioners

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to act in aid of the Civil Power; that they shall never be called upon to act as members of such Police Force for less than four days at any one time, and such Pensioners shall never be liable to serve as members of such Police Force at any time when their services shall be required in any other capacity by the Imperial or Military authorities.

3. Resolved, That it is expedient that the Pensioners and other persons enrolled as Members of such Police Force should, while so enrolled, be exempt from serving as Constables (except when acting as members of the said Police Force) or as Jurors, or in any Municipal office, or in the Militia, and also from Statute Labour or any capitation tax in lieu thereof, and from arrest for debt for any sum under Thirty pounds, and that they should be exempt from taxes on any property of which the occupation may be allowed them by the Imperial or Military authorities, and of which the title shall remain in the Crown, but should have no right to vote at any Election upon any such property.

4. Resolved, That it is expedient that the Officer in command of the enrolled Pensioners in Canada should be ex officio a Justice of the Peace for every part of this Province, and that the Staff Officers of Pensioners should be, respectively, Justices of the Peace for the Districts in which they may be appointed to command the said Pensioners, and in any adjoining District, except that such Officers when called out with such Pensioners in aid of the Civil Power shall not act as Justices of the Peace; that each of the said Officers, and such of the said Pensioners as shall volunteer as aforesaid, shall be held to be Officers and Soldiers of Her Majesty's Army on actual service, and entitled to all the privileges and exemptions to which such Officers and Soldiers when on actual service or on full pay, are by law entitled.

5. Resolved, That it is expedient that a free grant of Fifty acres of the Public Lands should, on condition of actual settlement thereon, be made to each such Pensioner or other person who shall have been enrolled in such Police Force during five years, and shall after such service receive a Certificate of good conduct from his Commanding Officer, or the Chief Superintendent of such Police Force, countersigned by the Provincial Secretary; such grant to avail to the children or legal representatives of any such Pensioner or person who may die before receiving the Letters Patent therefor, on condition of their performing or completing the duties of actual settlement to which such Pensioner or person was bound.

6. Resolved, That it is expedient that the foregoing Resolutions be embodied in an Act of the Legislature, by which the Act for the disposal of Public Lands shall be amended in accordance with the next preceding Resolution.

The said Resolutions, being read a second time, were agreed to.

Local Police
Force Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to authorize the employment of Military Pensioners and others, as a Local Police Force.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

MR. AT. GEN. BALDWIN³¹ moved the second reading of a bill to provide for the administration of justice in unorganized tracts of country in Upper Canada.³²

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Bill relating to
unorganized Tracts
of Country in
Upper Canada.

The Order of the day for the second reading of the Bill to made better provision for the administration of Justice in the unorganized Tracts of Country in Upper Canada, being read;

MR. H. BOULTON objected to the bill on account of the expense attendant on the proposed establishments--and the same being placed on the consolidated revenue fund.³³

MR. FOURNIER contended that it would be less expensive to bring criminals to districts where there were Court houses and gaols.³⁴

MR. CHABOT supported the motion, and contended that a similar system should be applied to Lower Canada.³⁵

MR. ROBINSON stated that the bill was necessary, and that he had recommended it to the Government.³⁶

MR. BADGLEY spoke in favor of the bill; and advocated the application of a similar principle being applied to Lower Canada, where, he stated, the expenses of the administration of justice were swelled by the bringing of persons accused, from a long distance, to the places where the courts were situated, instead of taking justice to every man's door.³⁷

MR. SOL. GEN. DRUMMOND supported the measure.³⁸

MESSRS. INSP. GEN. HINCKS and AT. GEN. BALDWIN stated that the proposed hiring or building gaols under the bill, did not mean gaols in the common acceptation of the word; but they were to be merely temporary establishments. That the administration of justice must in all cases be defrayed from the consolidated revenue; and that these establishments would be no extra expense.³⁹

After some remarks from other members, MR. MACKENZIE contended that the bill was merely to create offices on the eve of an election.⁴⁰ [It was] a piece of machinery to enable the present party in power to hold their places. The country paid already £20,000 for the administration of justice, and he would wish to know for what purpose it was proposed to vote away more money towards the same end.⁴¹ He did not know where the districts were that were alluded to in the bill.⁴²

MR. CHAUVEAU said, that this was just such a measure as the hon. member⁴³ for Haldimand⁴⁴ would himself have advocated, had it not been brought in by the Government. He was glad to hear, from a member of the administration, that the same principle was to be applied to Lower Canada.⁴⁵

MR. COM. CR. LANDS PRICE defended the government from any sinister motives. In the district for which the provision was to be made no influence was to be secured.⁴⁶

MR. MACKENZIE.--Where is the district for which this provision is made?⁴⁷

MR. COM. CR. LANDS PRICE replied that it was the district in the vicinity of Lake Superior and the north shore of Lake Huron⁴⁸. [He] asked if the hon. member for Haldimand had heard of the lands that had been ceded by the Indians at Sault Ste. Marie, where there dwelt a large population⁴⁹ [and] where the population was rapidly increasing.⁵⁰ Were the Government to allow these people to be without the protection of the law? It would be cruel. Then, as to providing offices for their supporters, that was absurd, as instead of supporting, it would injure the Government by sending their supporters away to a place from which they could not return, should they be appointed.⁵¹

MR. W. BOULTON opposed the bill⁵².

COL. PRINCE said that neither he [Mr. B.] nor the hon. member for Haldimand knew what they were talking about. Both knew about the County of York, and one particularly about the County of Haldimand; but both showed their ignorance of Sault Ste. Marie⁵³. No man who knew the district to which this bill applied could doubt the necessity that existed for its application. There was a large and rapidly growing population, a great proportion of whom were in a certain sense above the law; and, there was an increasing trade, which needed legal protection. Life and property were now often insecure; and security could not be given without the aegis of the British law.⁵⁴ He (Colonel Prince) declared from his knowledge of the country, that the bill was necessary.⁵⁵ The opposition on the score of patronage was absurd; and even if patronage were involved, it was of little moment compared with the great advantages which would be consequent upon the passing of this bill.⁵⁶

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The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Friday next.

Ordered, That the Resolution of this House of yesterday, That it is expedient that provision be made out of the County Fee Fund and Consolidated Revenue Fund of this Province, for the remuneration of such Judges, Sheriffs, and other Officers as it may be found necessary to appoint for the better administration of Justice in the unorganized Tracts of Country in Upper Canada, and for providing the necessary Court Houses, Gaols, and Houses of Correction for the same, be referred to the said Committee.

Ordered, That it be an Instruction to the Committee to insert a Clause or Clauses in the said Bill, in accordance with the said Resolution.

On⁵⁷ the motion of MR. SOL. GEN. DRUMMOND, the bill for the regulation of Taverns, &c. was read a second time.⁵⁸

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Taverns Regu-
lation Bill.

The Order of the day for the second reading of the Bill to provide for the regulation of Taverns and other places of Public Entertainment, and for the more effectual suppression of Intemperance, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Supply.

The House, according to Order, proceeded to take into further consideration the Thirty-ninth to the One hundred and eighty-seventh Resolutions, both inclusive, which were, on Friday last, reported from the Committee of Supply.⁵⁹

The House then proceeded to consider the Estimates, on a motion for the reception of the Report of Committee.⁶⁰

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And the Thirty-ninth to the Seventy-second of the Resolutions, both inclusive, being read a second time, were agreed to.

The whole of the items for Hospitals and other charities, and for various Public Institutions, were carried without a division.⁶¹

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The Seventy-third Resolution being read a second time;

On the vote of £30,000 for contingent expenses of administration of justice in Upper and Lower Canada, not otherwise provided for⁶² MR. MACKENZIE asked what it was for?--⁶³

A desultory debate arose, led by Mr. MacKenzie⁶⁴ to precisely the same effect as on the previous evening⁶⁵.

MR. INSP. GEN. HINCKS spoke on the other side--characterizing the conduct of the member for Haldimand as obstructive and as involving breaches of the public faith and immorality.⁶⁶ [He] remarked, with regard to judges' salaries, that the Government could never consent to reduce these during the lifetime of the present Judges.⁶⁷

MR. CHRISTIE remarked in reply to this, that he could not see why the salaries of the present judges should not be reduced when the exigencies of the country required it. The cost of the administration of justice was an intolerable burden to the country, and he trusted the voice would go abroad which would compel its reduction. He believed the salaries of the Judges had been reduced in England.⁶⁸

MR. INSP. GEN. HINCKS denied this⁶⁹.

MR. CHRISTIE declared that our expenses were eating up our resources; and asked when the changes in the civil list would be brought forward.⁷⁰

MR. MALLOCH...Never: they've got the go-bye.⁷¹

MR. H. SHERWOOD declared himself favourable to the principle that Judges should hold office during good behaviour, and be independent of Parliament in regard to salaries.⁷²

COL. PRINCE vindicated the principle of the independence of Judges, and denounced the idea of reducing their salaries, which were paltry even now. The salaries paid here to Judges were insufficient to preserve them from connection without the presence of strong moral principle.⁷³

MR. CHRISTIE thought that the Government owed a judgeship to the member for Essex.⁷⁴

MR. INSP. GEN. HINCKS went on to contend that the member for Gaspé had made out no case, and that interfering with the salaries of the Judges would be breaking faith with them, as they had abandoned their other professional prospects to accept the office of Judge.⁷⁵ [He] maintained that to reduce the salaries of present incumbents would be highly dishonourable, and was a policy not called for by the circumstances of the country.⁷⁶

MR. W. BOULTON argued in favor of immediate reduction⁷⁷ of the salaries of the judiciary⁷⁸ and that if this House did not make it, another House sent by the people would.⁷⁹

MR. H. BOULTON followed on the same side,⁸⁰ [contending] that Parliament had an absolute right to deal with all matters of this nature;⁸¹ his salary, as Att'y General, had been reduced some years ago, from £2000 to £1,200 and he could not see why a Judge should be an exception. He asked the Inspector General why men holding high offices should be made an exception to Government Clerks, who had their salaries reduced or they were dismissed,⁸² and cited cases of government clerks, and others, who had been dismissed, or whose salaries had been reduced, for no fault of their own, to show that Mr. Hincks did not always act on the principle which he had laid down as applicable to judges.⁸³

MR. RICHARDS, while admitting that circumstances might arise which would render a reduction of salaries necessary and justifiable, contended that no such necessity had been shown now to exist.⁸⁴

MR. MACKENZIE quoted from the financial report of last session to show the disproportionate expenditure in this class of items in the two sections of the Province.⁸⁵ [He] continued to say that the expenses of the administration of justice in Lower Canada were double those in Upper Canada.⁸⁶ In Upper Canada,

they amounted to £33,334, for which deductions were to be made which brought down the actual expenditure to £23,000; while in Lower Canada, with a smaller population, they amounted to £46,704. The hon. member went on to comment on a great number of items, dwelling upon them as illustrations of the extravagance of the existing system.⁸⁷ The contingencies of Boston and Coffin were \$17,000, in addition to which £149 were paid for a hangman, whose services he had come near to requiring himself. Going to Quebec, Mr. Sheriff Sewell got upwards of £3000 for his contingencies, in addition to which there was another £500, and again £141 for a hangman. The coroner too got £111; but fees to the extent of £1300. The tipstaff and crier, too, got, he believed, £300 or £400 a-year. Then came Mr. Spragge, who was to get £800 a-year to be Vice-Chancellor. Then rising in the scale of wisdom, there was another gentleman who got £1000 a-year, and rising a little higher, they found Mr. Blake with £1250, though that gentleman had established £1000 a-year as the highest salary for a judge, and though doubtless he would therefore be glad to take that amount of money.⁸⁸ He ridiculed the idea of vested rights in high salaries and pensions, and asserted the right of the people, through their representatives, to make any reduction which they might deem necessary or proper. During his remarks, he assailed the present ministry, and especially the Inspector General, whose change of opinion and practice since his accession to office would not (he said) receive the sanction of the reformers of Oxford. In conclusion, the hon. member⁸⁹ would, therefore, now move to reduce the £30,000 for the administration of justice into £25,000.⁹⁰

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Mr. Mackenzie moved in amendment thereunto, seconded by Mr. Hopkins, That the words "Thirty thousand pounds" be left out, and the words "Twenty-five thousand pounds" inserted instead thereof;

COL. PRINCE accused the member for Haldimand of abusing the patience of the House; and then proceeded to remark on the circumstances which had enabled him to return to the province, and his ingratitude to the present Ministers, through whom the act of amnesty had been granted.⁹¹ [He] animadverted upon the tone of ribaldry with which the hon. member for Haldimand spoke of the gallows. The hon. member ought to have gone down upon his knees and thank the Government opposite for his rescue from the gallows.⁹²

MR. MALLOCH--It was done to others.⁹³

COL. PRINCE--Yes--and properly done to others. He admired the Queen of England, and the spirit of the age; but he could not help condemning the conduct of the hon. member, towards those who had saved him from the gallows, and to whom he owed his seat in the House.⁹⁴

MR. MACKENZIE thought he owed his seat to the people of Haldimand.⁹⁵

COL. PRINCE continued:--[and] in the course of his remarks, spoke of the member for Haldimand as having once been a rebel, an outlaw, liable to be summarily hanged.⁹⁶

MR. MORIN the SPEAKER said these remarks were out of order.⁹⁷

COL. PRINCE resumed, and⁹⁸ implored the hon. member not to refer to a period that must be painful to all in the House.⁹⁹ [He] concluded his speech by advising Mr. Mackenzie to be more discreet in his speeches, and less factious in his opposition to the government, from whom he had received such substantial favours.¹⁰⁰

A few remarks [were made] by MR. H. BOULTON.¹⁰¹

MR. INSP. GEN. HINCKS said that the government were not insensible to the need of economy, and on all suitable occasions evinced their desire to carry it out.¹⁰²

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And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Seventy-third Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cayley, Chabot, Chauveau, Christie, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Gugy, Guillet, Hincks, Holmes, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, Méthot, Mongenais, Morrison, Polette, Price, Prince, Richards, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Smith of WENTWORTH.--(48.)

NAYS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, Mackenzie, McConnell, and McLean.--(6.)

So it was resolved in the Affirmative.

The Seventy-fourth Resolution, being read a second time, was agreed to.

The Seventy-fifth Resolution being read a second time;

Mr. Mackenzie moved in amendment thereunto, seconded by the Honorable Mr. Boulton, That the words "Four thousand pounds" be left out, and the words "Three thousand two hundred pounds" inserted instead thereof;

On the vote of £4,000 for the salaries of our Judges, in Lower Canada, over and above those provided for in the Civil List, MR. MACKENZIE¹⁰³ moved to reduce the salary of each judge to £800 per annum¹⁰⁴. In making his motion, Mr. M., alluding to the charge of ingratitude,¹⁰⁵ [said] in answer to Col. Prince that the man who had lost all his property, risked his life, and suffered all kinds of misery for his opinions, was not likely to treat the events in question with anything like lightness.¹⁰⁶ [He] said that for whatever kindness he had received at the hands of the present Ministry, he was duly grateful; but this was a private matter, and should never affect the independence of his public conduct.¹⁰⁷

MR. INSP. GEN. HINCKS said the amendment would reduce the salaries of the judges in Lower Canada below that of the judges in Upper Canada, appointed at the same period.¹⁰⁸ [He] opposed the amendment¹⁰⁹.

MR. H. BOULTON supported the motion in amendment¹¹⁰.

The remarks of the latter gentleman were interrupted by kicking and other noises, which led MR. MORIN the SPEAKER to comment on the discreditable and disorderly character of the proceeding.¹¹¹

MR. MALLOCH said the noises proceeded from outside the bar.¹¹²

MR. H. BOULTON said they came from within the bar. He believed there was no man outside the bar who would degrade himself by such interruptions as honourable members inside stooped to commit.¹¹³

MR. AT. GEN. LAFONTAINE condemned the amendment, as aiming a fatal blow at the independence of the Judiciary.¹¹⁴

MR. H. SHERWOOD followed on the same side.¹¹⁵

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, Mackenzie, and Malloch.--(5.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Cartier, Cayley, Chabot, Chauveau, Davignon, Duchesnay, Dumas, Flint, Fortier, Fournier, Guillet, Hincks, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Macdonald of KINGSTON, McConnell, McLean, Méthot, Mongenais, Morrison, Polette, Price, Robinson, Sanborn, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Stevenson.--(36.)

So it passed in the Negative.

On the item of £144 being proposed as an addition to the salary of Alex. Gardner,¹¹⁶ Provincial¹¹⁷ Judge of the Superior Court of the District of St. Francis¹¹⁸, MR. MACKENZIE moved to declare that it was not desirable to make this addition.¹¹⁹

MR. AT. GEN. LAFONTAINE [stated] that the judge in question is a judge of the whole Province, and that the insertion of the word "Provincial" was a mistake.¹²⁰ [He also] explained that this was merely a matter of account. He had £750 a year instead of the salary of the other Judges because living was cheaper in his District; and this sum made that up.¹²¹

MR. MACKENZIE withdrew his motion,¹²² in consequence of...[the] explanation by Mr. At. Gen. Lafontaine.¹²³

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The Seventy-fifth Resolution was then agreed to.

The Seventy-sixth to the Eighty-first of the Resolutions, both inclusive, being read a second time, were agreed to.

The Eighty-second Resolution being read a second time;

Mr. Mackenzie moved in amendment thereunto, seconded by Mr. Armstrong, That the words "Provided the Office of Queen's Printer shall be abolished from and after the first of January next, and that the printing and binding required by Government, and the publishing of the Canada Gazette, shall be given out by public contract, from time to time, to the lowest bidders who may give good security for the performance of their contracts, unless the Legislature should decide to establish a public Printing Office for the work of the Government" be added at the end thereof;

And the Question being put, That those words be there added; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Boulton of TORONTO, Bouthillier, Hopkins, Letellier, Mackenzie, Malloch, McConnell, McLean, Sanborn, Scott of TWO MOUNTAINS, and Seymour.--(12.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Cartier, Cauchon, Cayley, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Fortier, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Méthot, Mongenais, Morrison, Polette, Price, Scott of BYTOWN, Sherwood of TORONTO, Stevenson, and Taché.--(30.)

So it passed in the Negative.

The Eighty-second Resolution was then agreed to.

The Eighty-third to the One hundredth of the Resolutions, both inclusive, being read a second time, were agreed to.

Several other items were carried, down to the item of Mr. Roebuck.¹²⁴

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Mr. Boulton of Toronto moved, seconded by Mr. Malloch, and the Question being put, That the One hundred and first to the One hundred and eighty-seventy of the Resolutions, both inclusive, be taken into further consideration to-morrow; the House divided:--And it passed in the Negative.

Mr. Boulton of Toronto moved, seconded by Mr. Malloch, and the Question being put, That the One hundred and first to the One hundred and eighty-seventh of the Resolutions, both inclusive, be taken into further consideration to-morrow; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Cartier, Cayley, Chauveau, Solicitor General Drummond, Fortier, Fourmier, Guillet, Hincks, Hopkins, Attorney General LaFontaine, LaTerrière, Lyon, Solicitor General Macdonald, Mac-kenzie, Malloch, McLean, Morrison, Price, Seymour, and Stevenson.--(24.)

NAYS.

Messieurs Bouthillier, Cauchon, Davignon, Duchesnay, Dumas, Flint, Jobin, Lemieux, Letellier, McConnell, Méthot, Mongenais, Polette, Scott of TWO MOUNTAINS, and Taché.--(15.)

So it was resolved in the Affirmative.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Mackenzie, The House adjourned.

APPENDIX: 5 AUGUST 1851.

[WITHDRAWN MOTION RE: PETITION OF WILLIAM BACON.]¹²⁵

MR. BURRITT moved to refer to a select committee the petition of¹²⁶ William Bacon¹²⁷ of Ogdensburgh, U.S., Merchant, praying indemnification for the loss of his share in the steamer "Sir Robert Peel," destroyed¹²⁸ by brigand¹²⁹ during the troubles of 1838.¹³⁰

MR. INSP. GEN. HINCKS opposed the motion--believing all these claims had been settled under a commission and ought not to be again re-opened.¹³¹

The motion was opposed by ... MR. H. SHERWOOD, and others, and supported by MR. MACDONALD (Kingston) and others.¹³²

After some conversation the motion was withdrawn.¹³³

FOOTNOTES: 5 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 8 August 1851, NORTH AMERICAN, 8 August 1851, MONTREAL GAZETTE, 9 August 1851, HAMILTON SPECTATOR, 9 August 1851, PILOT, 12 August 1851, OTTAWA CITIZEN, 16 August 1851, and LA MINERVE, 12 August 1851. The debate was also reported by: PILOT, 7 August 1851; and GLOBE, 7 August 1851. MONTREAL GAZETTE, 7 August 1851, noted the debate.
2. BRITISH COLONIST, 8 August 1851.
3. IBID.
4. GLOBE, 7 August 1851.
5. BRITISH COLONIST, 8 August 1851.
6. GLOBE, 7 August 1851.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. BRITISH COLONIST, 8 August 1851.
14. GLOBE, 7 August 1851.
15. BRITISH COLONIST, 8 August 1851.
16. GLOBE, 7 August 1851.
17. BRITISH COLONIST, 8 August 1851.
18. GLOBE, 7 August 1851.
19. BRITISH COLONIST, 8 August 1851.
20. GLOBE, 7 August 1851.
21. BRITISH COLONIST, 8 August 1851.
22. GLOBE, 7 August 1851.
23. BRITISH COLONIST, 8 August 1851.
24. GLOBE, 7 August 1851.
25. BRITISH COLONIST, 8 August 1851.
26. IBID.
27. GLOBE, 7 August 1851.
28. BRITISH COLONIST, 8 August 1851.
29. GLOBE, 7 August 1851.
30. BRITISH COLONIST, 8 August 1851.
31. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 8 August 1851, NORTH AMERICAN, 8 August 1851, MONTREAL GAZETTE, 9 August 1851, PILOT, 12 August 1851, and OTTAWA CITIZEN, 16 August 1851. The following papers reported the debate in partially identical accounts: MONTREAL GAZETTE, 7 August 1851, and PILOT, 7 August 1851. The debate was also reported by: GLOBE, 7 August 1851; and LA MINERVE, 12 August 1851.
32. GLOBE, 7 August 1851. MONTREAL GAZETTE, 7 August 1851, reported in error that the motion was made by Mr. Badgley.
33. GLOBE, 7 August 1851.
34. IBID.
35. BRITISH COLONIST, 8 August 1851.
36. IBID.
37. IBID.
38. GLOBE, 7 August 1851.
39. BRITISH COLONIST, 8 August 1851.
40. IBID.
41. GLOBE, 7 August 1851.
42. BRITISH COLONIST, 8 August 1851.
43. IBID.

44. GLOBE, 7 August 1851.
45. BRITISH COLONIST, 8 August 1851.
46. GLOBE, 7 August 1851.
47. IBID.
48. IBID.
49. BRITISH COLONIST, 8 August 1851.
50. GLOBE, 7 August 1851.
51. BRITISH COLONIST, 8 August 1851.
52. IBID.
53. IBID.
54. GLOBE, 7 August 1851.
55. BRITISH COLONIST, 8 August 1851.
56. GLOBE, 7 August 1851.
57. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 8 August 1851, NORTH AMERICAN, 8 August 1851, MONTREAL GAZETTE, 9 August 1851, HAMILTON SPECTATOR, 9 August 1851, PILOT, 12 August 1851, and OTTAWA CITIZEN, 16 August 1851. MONTREAL GAZETTE, 7 August 1851, and PILOT, 7 August 1851, noted the debate in identical accounts. The debate was also noted by GLOBE, 7 August 1851.
58. GLOBE, 7 August 1851.
59. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 8 August 1851, NORTH AMERICAN, 8 August 1851, MONTREAL GAZETTE, 9 August 1851, HAMILTON SPECTATOR, 9 August 1851, PILOT, 12 August 1851, and OTTAWA CITIZEN, 16 August 1851. The debate was also reported by GLOBE, 7 August 1851. The debate was noted by: MONTREAL GAZETTE, 7 August 1851, PILOT, 7 August 1851; and LA MINERVE, 12 August 1851.
60. GLOBE, 7 August 1851.
61. IBID.
62. IBID.
63. BRITISH COLONIST, 8 August 1851.
64. GLOBE, 7 August 1851.
65. BRITISH COLONIST, 8 August 1851.
66. GLOBE, 7 August 1851.
67. BRITISH COLONIST, 8 August 1851.
68. GLOBE, 7 August 1851.
69. IBID.
70. GLOBE, 7 August 1851.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. BRITISH COLONIST, 8 August 1851.
76. GLOBE, 7 August 1851.
77. BRITISH COLONIST, 8 August 1851.
78. GLOBE, 7 August 1851.
79. BRITISH COLONIST, 8 August 1851.
80. IBID.
81. GLOBE, 7 August 1851.
82. BRITISH COLONIST, 8 August 1851.
83. GLOBE, 7 August 1851.
84. IBID.
85. IBID.
86. BRITISH COLONIST, 8 August 1851.
87. GLOBE, 7 August 1851.
88. BRITISH COLONIST, 8 August 1851.
89. GLOBE, 7 August 1851.

90. BRITISH COLONIST, 8 August 1851.
91. GLOBE, 7 August 1851.
92. BRITISH COLONIST, 8 August 1851.
93. IBID.
94. IBID.
95. IBID.
96. GLOBE, 7 August 1851.
97. IBID.
98. IBID.
99. BRITISH COLONIST, 8 August 1851.
100. GLOBE, 7 August 1851.
101. IBID.
102. IBID.
103. IBID.
104. BRITISH COLONIST, 8 August 1851.
105. GLOBE, 7 August 1851.
106. BRITISH COLONIST, 8 August 1851.
107. GLOBE, 7 August 1851.
108. BRITISH COLONIST, 8 August 1851.
109. GLOBE, 7 August 1851.
110. BRITISH COLONIST, 8 August 1851.
111. GLOBE, 7 August 1851.
112. IBID.
113. IBID.
114. IBID.
115. IBID.
116. BRITISH COLONIST, 8 August 1851.
117. GLOBE, 7 August 1851.
118. BRITISH COLONIST, 8 August 1851.
119. IBID.
120. GLOBE, 7 August 1851.
121. BRITISH COLONIST, 8 August 1851.
122. IBID.
123. GLOBE, 7 August 1851.
124. BRITISH COLONIST, 8 August 1851.
125. The following papers reported this withdrawn motion in identical accounts:
BRITISH COLONIST, 8 August 1851, NORTH AMERICAN, 8 August 1851, MONTREAL
GAZETTE, 9 August 1851, HAMILTON SPECTATOR, 9 August 1851, PILOT, 12 August
1851, and OTTAWA CITIZEN, 16 August 1851. The motion was also reported by
GLOBE, 7 August 1851.
126. GLOBE, 7 August 1851.
127. BRITISH COLONIST, 8 August 1851.
128. GLOBE, 7 August 1851.
129. BRITISH COLONIST, 8 August 1851.
130. GLOBE, 7 August 1851. HAMILTON SPECTATOR, 9 August 1851, noted the date of
the "troubles" as 1837.
131. BRITISH COLONIST, 8 August 1851.
132. GLOBE, 7 August 1851.
133. BRITISH COLONIST, 8 August 1851.

WEDNESDAY, 6 AUGUST 1851.

MORNING SITTING.

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Two Bills re-
lating to
Lessors and
Lessees.

MR. LEMIEUX reported from the Select Committee on the Bill to amend the Act to regulate the exercise of certain rights of Lessors and Lessees in Lower Canada, and on the Bill for the more summary and effectual exercise of the rights of Lessors in certain cases in Lower Canada, with an Instruction to the Committee to consolidate the said Bills if they shall see fit, That the Committee had gone through both Bills, and made amendments to the Bill to amend the Act to regulate the exercise of certain rights of Lessors and Lessees in Lower Canada, by incorporating therein certain provisions of the other Bill, and otherwise amending the same.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Ordered, That the Bill, as amended, be printed for the use of the Members of this House.

Bill to correct
a clerical Error
in the Act 13 and
14 Vic. cap. 96.

Ordered, That Mr. Lemieux have leave to bring in a Bill to correct a clerical error in the English version of the Act of last Session exempting Masters of Vessels belonging to Lower Canada from taking Pilots in certain cases.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Bill relating to
the Boundaries
of certain
Counties.

Ordered, That the Bill to define more accurately the Boundaries which separate the Counties of Sherbrooke, Drummond, and Megantic, be read a second time to-morrow.

Belleville Hos-
pital Reserve
Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to allow a grant of the Hospital Reserve, Belleville, to the Town Council," being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Bill relating to
the Great
Cranberry
Marsh.

The Order of the day for the second reading of the Bill to authorize the County of Welland Municipal Council to purchase certain Lands in the said County, known as the Great Cranberry Marsh, and for other purposes, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. McFarland, Mr. Solicitor General Macdonald, Mr. Prince, the Honorable Mr. Boulton, and the Honorable Mr. Hincks, to report thereon with all convenient speed.

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Wood's Estate
Relief Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to afford relief to the Estate of the late Alexander Wood,"

being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Niagara Har-
bour and Dock
Bill.

The Order of the day for the second reading of the Bill to amend the Act of Incorporation of the Niagara Harbour and Dock Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Action of
Ejectment
Bill.

The Order of the day for the second reading of the Bill to alter and settle the mode of proceeding in the Action of Ejectment, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of the Honorable Mr. Sherwood, the Honorable Mr. Cameron of Cornwall, Mr. Smith of Frontenac, Mr. Solicitor General Macdonald, and Mr. Smith of Durham, to report thereon with all convenient speed.

Bill for rec-
ording votes of
Members on
final passage
of Bills.

The Order of the day for the second reading of the Bill for taking and recording the Votes of Members of the Legislature on the final passage of Bills, being read;

Mr. Mackenzie moved, seconded by Mr. Bell, and the Question being proposed, That the Bill be now read a second time;¹

MR. W. BOULTON spoke in ... favour² [of] the motion.³

The members against the motion were MR. SOL. GEN. DRUMMOND, MR. MACDONALD, MR. CHABOT, MR. H. SHERWOOD, and others.⁴

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Mr. Gugy moved in amendment to the Question, seconded by the Honorable Mr. LaTerrière, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bouthillier, Burritt, Cauchon, Chabot, Chauveau, Christie, Davignon, Dickson, Solicitor General Drummond, Duchesnay, Fergusson, Fortier, Fourquain, Gugy, Guillet, Hincks, Lacoste, Attorney General LaFontaine, LaTerrière, Letellier, Lyon, Solicitor General Macdonald, Malloch, McLean, Méthot, Mongenais, Morrison, Polette, Price, Richards, Robinson, Sanborn, Sawageau, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Stevenson, Taché, and Viger.
--(41.)

NAYS.

Messieurs Bell, Boulton of TORONTO, Cameron of CORNWALL, Flint, Hall, Holmes, Johnson, Mackenzie, McConnell, Notman, Scott of BYTOWN, Smith of DURHAM, and Smith of WENTWORTH.--(13.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Bill relating
to certain
Judgments in
Lower Canada.

The Order of the day for the second reading of the Bill to render executory certain Judgments in Lower Canada, and to provide more effectually to enforce Judgments in case of resistance, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Saturday next.

Division Courts
Bill (U.C.).

The Order of the day for the second reading of the Bill to extend the jurisdiction of Division Courts in Upper Canada,

and otherwise to amend the Law relative to the said Courts, being read;

Mr. Seymour moved, seconded by the Honorable Mr. Robinson, and the Question being put, That the Bill be now read a second time;⁵

MR. SOL. GEN. MACDONALD opposed it on the ground that the existing law had been in operation only a short time, and that no complaints had been made against it.⁶

MR. ROBINSON said this latter fact furnished a good argument in favor of the present bill.⁷

MR. RICHARDS viewed the proposed extension as likely to bring the courts altogether into disrepute.⁸

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Boulton of TORONTO, Christie, Davignon, Dickson, Fergusson, Flint, Hopkins, Johnson, Lyon, Mackenzie, Malloch, McConnell, McFarland, McLean, Notman, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, and Stevenson.--(24.)

NAYS.

Messieurs Bell, Bouthillier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Gugy, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Polette, Price, Richards, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Taché, and Viger.--(28.)

So it passed in the Negative.

Mr. Solicitor General Macdonald moved, seconded by Mr. Scott of Two Mountains and the Question being put, That the Bill be read a second time this day six months; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Bouthillier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Gugy, Guillet, Hincks, Holmes, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenais, Polette, Price, Richards, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, and Viger.--(31.)

NAYS.

Messieurs Armstrong, Boulton of TORONTO, Dickson, Fergusson, Flint, Hopkins, Johnson, Lyon, Mackenzie, Malloch, McConnell, McFarland, McLean, Notman, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Stevenson.--(21.)

So it was resolved in the Affirmative.

Bill relating to the Post Office.

The Order of the day for the second reading of the Bill for the diminution of Sunday labor in the Post Office Department, being read;

Mr. Bell moved, seconded by Mr. Johnson, and the Question being proposed, That the Bill be now read a second time;⁹

MR. BELL.... We are careful (he said) not to act contrary to the Imperial statutes, and we should be equally careful not to violate the Divine law. Since the opening of the last Session, no fewer than 61 petitions, signed by many

thousands, had been presented in favour of a measure of this kind. He proposed that the mails leaving three of the points should be stopped on Sunday; and the 7th clause enabled Municipal Councils, if they chose, to close post-offices within their respective municipalities, on Sunday.¹⁰

MR. CAUCHON, while respecting the opinions which had led to the introduction of this bill, felt bound to oppose it, because if the principle involved were carried out to its full extent, very serious inconvenience would be occasioned to all classes.¹¹

MR. H. SHERWOOD said that the principle of closing the post-offices, and arresting the mail, had been tried in England and elsewhere, and had been found impracticable. If the principle were imperative, steamers carrying the mail should be stopt [*sic*] as soon as Sunday arrived, and not be permitted to resume their voyages until Monday arrived. There could be no doubt that the bill would occasion inconvenience, and even loss to the mercantile community, and he thought that it would be found detrimental to religion itself. He would leave the matter altogether in the hands of the Government.¹²

MR. G. SHERWOOD said that the principle had been to a certain extent adopted already, and he thought that good would result from the adoption of the proper measure.¹³

COL. GUGY condemned the Bill as an attempt to thrust the religious opinions of one section of the community down the throats of other sections.¹⁴

MR. SOL. GEN. DRUMMOND, without committing himself to a rigid observance of Sunday, was favourable to this measure, which he deemed reasonable and proper. There was no danger of the principle of the bill extending to Lower Canada, where feelings of the people were averse to it. In Upper Canada, if a majority of the people desired it, they should be allowed to have it.¹⁵

MR. CHAVEAU [made] ... some remarks (in French)¹⁶.

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Mr. Letellier moved in amendment to the Question, seconded by Mr. Gagy, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment;

MR. INSP. GEN. HINCKS was in favor of the bill which had been conceived in a moderate spirit. Individually he should desire to have the post office open to some extent on Sunday; but he approved of the leading principle of the bill, which gave to a majority the power of closing the post office, or keeping it open on that day.¹⁷

MR. H. SHERWOOD repeated his respect for the prejudices which prompted this measure, although they favoured a little of the pharisaical. The principle of the bill was a bad one, and had been advocated on untenable grounds. If it were wrong to transmit or to deliver letters on Sunday, let the Legislature say so and act accordingly; but if there were no immortality in either why leave petty municipalities to have power in the matter?¹⁸

COL. PRINCE supported the bill as just in principle and reasonable in detail.¹⁹

COL. GUGY, on the other hand, maintained that the principle was pharisaical and intolerant--at variance with reason, as well as with enlightened religion.²⁰

After a reply by MR. BELL, and some remarks by MR. LETELLIER, MR. CHABOT, MR. ARMSTRONG and others²¹--

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the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Davignon, Dickson, Duchesnay, Dumas, Fournier, Fourquin, Guy, Guillet, Holmes, Jobin, LaTerrière, Lemieux, Letellier, Méthot, Mongenais, Polette, Scott of BYTOWN, Scott of TWO MOUNTAINS, Taché, and Viger.--(25.)

NAYS.

Messieurs Armstrong, Badgley, Bell, Boulton of TORONTO, Burritt, Solicitor General Drummond, Fergusson, Flint, Hall, Hincks, Hopkins, Johnson, Lyon, Mackenzie, Malloch, McFarland, McLean, Notman, Price, Sanborn, Sauvageau, Seymour, Smith of WENTWORTH, and Stevenson.--(24.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

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Lunatic Asylum, and Toronto Normal School.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General, the following Return:--

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 26th June last, praying His Excellency to cause to be laid before the House, a Return shewing the annual sum payable under the provisions of the Act 13 & 14 Vic. cap. 68, for interest on all Debentures issued on account of the Lunatic Asylum and Normal School at Toronto, now outstanding.

By Command.

J. LESLIE,
Secretary.

Provincial Secretary's Office,
Toronto, 5th August, 1851.

Return to an Address of the Honorable Legislative Assembly of the 26th June, 1851, shewing the annual sum payable under the provisions of the Act 13 & 14 Vic. cap. 68, for interest on all Debentures issued on account of the Lunatic Asylum and Normal School at Toronto, now outstanding:--

Debentures Outstanding.	Annual sums payable for Interest under Act 13 & 14 <u>Vic.</u> cap. 68.		
	£	s.	d.
Amount of outstanding Debentures issued on account of the erection of the <u>Toronto</u> Lunatic Asylum, under the Act 9 <u>Vic.</u> cap. 61, £21,750, at 6 per cent. per annum . . .	1305	0	0
do do do on the same account, under Act 12 <u>Vic.</u> cap. 32, £5000, at 6 per cent.	300	0	0
do do do on account of <u>Toronto</u> Lunatic Asylum and Normal School of <u>Upper Canada</u> , under Act 13 & 14 <u>Vic.</u> cap. 2, £22,700, at 6 per cent. per annum	1362	0	0
Total payable annually for Interest on Debentures now outstanding	£2967	0	0

There is a further sum of £7300 to complete the amount of £30,000 authorized to be raised by the 13 & 14 Vic. cap. 2, for defraying certain expenses of the Lunatic Asylum at Toronto, and the erection of the Normal School of Upper Canada, the annual interest on which, at 6 per cent, will be £438.

JOS. CARY,
Dy. Insp. General.

Inspector General's Office,
Toronto, 4th August, 1851.

Charges against
W. Ramsay, late
Steward of the
Provincial Lu-
natic Asylum.

The Honorable Mr. Hincks also presented, pursuant to an Address to His Excellency the Governor General, the following Return:--

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 28th ultimo, praying His Excellency to cause to be laid before the House, a Return of certain charges preferred by the Directors of the Provincial Lunatic Asylum against William Ramsay, late Steward of that Institution, the evidence taken at the investigation thereof, and the result of such investigation.

By Command.

J. LESLIE,
Secretary.

Provincial Secretary's Office,
Toronto, 5th August, 1851.

Extracts from the Minutes of the Board of the Provincial Lunatic Asylum, relative to Wm. Ramsay, late Steward of that Institution:--

"Provincial Lunatic Asylum,
7th January, 1851.

That a Special Meeting be called for Friday, at 10 o'clock, A.M., to investigate certain charges against Mr. Ramsay.

Provincial Lunatic Asylum,
Board Room, 10th January, 1851.

At a Special Meeting called for the purpose of investigating certain charges against Mr. Ramsay, Steward:--

PRESENT:

The Honorable C. Widmer, M.D. in the Chair.

Reverend H.J. Grasett.

Reverend J. Roaf.

G. Gurnett, Esquire.

J.G. Chewett, Esquire.

W. Mathers, Esquire.

W. McMaster, Esquire.

Moved by Reverend J. Roaf, seconded by G. Gurnett, Esquire, That the other charges against Mr. Ramsay, as Steward of this Institution, have not been satisfactorily sustained; but that in the consumption of Tea, he has been culpably lavish; and in the error relative to Muldoon, he was at least culpably remiss.

Provincial Lunatic Asylum,
3d February, 1851.

Board met, PRESENT:

The Honorable C. Widmer, M.D. in the Chair.

Reverend J. Roaf.

W. McMaster, Esquire.

W. Mathers, Esquire.

D. Paterson, Esquire.

A communication from Mr. Ramsay, tendering his resignation of the Office of

Steward, read.

Mr. Ramsay being called before the Board, stated, that his resignation comprized that of Mrs. Ramsay, the Matron, and that he desired to terminate his services at the expiration of the current quarter;

Upon which the Board resolved, That the same be accepted, and that Mr. and Mrs. Ramsay's services shall terminate at the expiration of the present quarter.

John Scott,
Superintendent."

Petitions
brought up.

The following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Viger,--The Petition of Alexander Gorrie, Secretary-Treasury of the Municipal Council of the County of Terrebonne, on behalf of the said Municipal Council.

By the Honorable Mr. Price,--The Petition of John Eastwood and others.

By the Honorable Mr. Hincks,--The Petition of Messieurs Allan Gilmour and Company, and others, engaged in the Shipping interest and trade of Quebec.

Fifth Report
of Committees
on Railroads
and Telegraph
Lines.

Mr. Dumas, from the Standing Committee on Railroads and Telegraph Lines, presented to the House the Fifth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to incorporate the Montreal and Kingston Railway Company, and also the Bill to incorporate the Kingston and Toronto Junction Railroad Company, and have made certain amendments to each of the said Bills, which they beg leave to submit for the consideration of Your Honorable House.

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Montreal and
Kingston Rail-
way Company Bill,
and Kingston and
Toronto Junction
Railroad Com-
pany Bill.

Ordered, That the Bill to incorporate the Montreal and Kingston Railway Company, and the Bill to incorporate the Kingston and Toronto Junction Railroad Company, as reported from the Standing Committee on Railroads and Telegraph Lines, be committed to a Committee of the whole House, for to-morrow, and be then the next Order of the day for the House in Committee on the Bill to consolidate and regulate the General Clauses relating to Railways.

Message from
His Excellency.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Supplementary
Estimate for
1851.

ELGIN and KINCARDINE.

The Governor General recommends to the Legislative Assembly the accompanying Supplementary Estimate of sums required for the service of the present year.

Government House,
Toronto, 6th August, 1851.

[See Supplementary Estimate on following page.]

Ordered, That the said Message and Supplementary Estimate be referred to the Committee of Supply.

Public
Works.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, presented, pursuant to the directions of several Acts of the Provincial Parliament,--Supplementary Report of

SUPPLEMENTARY ESTIMATE of certain Expenses of the Civil Government of Canada, for the year 1851, for which a Supply is required.

Services.		Amount Currency.	
		£	s. d.
To make good various indispensable Expenses of the Civil Government, incurred during the year 1850, as detailed in Statement No. 33 of the Public Accounts of that year, laid before the Legislature.		9711	2 4
New Indian Annuities		1100	0 0
Portion of Expenses of Survey of <u>Halifax</u> and <u>Quebec</u> Railway, to be borne by <u>Canada</u>	7865 14 2		
Balance of Grant for this Service, made in 1847, unexpended,			
Amount of do made in 1849.	7449 4 6		
<hr/>			
Additional sum now required.		416	9 88
To defray the final balance of Expenses of the Commission of Enquiry into the state of the <u>Montreal</u> <u>Provident</u> and <u>Savings</u> Bank		342	18 7
Grant for the <u>British</u> <u>North American</u> <u>Electric</u> <u>Telegraph</u> Association.		500	0 0
Additional Grant for the <u>Parliamentary</u> Library, to be charged in the Estimate of 1852		2000	0 0
Estimated expense for the protection of the Fisheries in the Gulf of <u>St. Lawrence</u>		1000	0 0
Additional Grant for the <u>Provincial</u> <u>Agricultural</u> Association of <u>Lower</u> <u>Canada</u> For <u>L'Academie Industrielle</u> at <u>St. Laurent</u>		400	0 0
For each of the <u>Mechanics'</u> <u>Institutes</u> at <u>Hamilton</u> , <u>Belleville</u> , <u>Brockville</u> , <u>Bytown</u> , <u>Cobourg</u> , <u>Guelph</u> , <u>Perth</u> , <u>Pictou</u> , <u>Simcoe</u> , and <u>Woodstock</u> , £50 each		150	0 0
Gratuity to <u>Dr. Rees</u> for injury sustained in the <u>Lunatic Asylum</u>		500	0 0
For the erection of the <u>Toronto</u> Post Office.		250	0 0
For the erection of <u>Slides</u> on the <u>River</u> <u>St. Maurice</u>		4500	0 0
		14000	0 0
Total, Currency		£34870	10 7

Inspector General's Office,
Toronto, 6th August, 1851.

F. Hincks,
Inspector General.

the Commissioners of Public Works.

Appendix (T.)

For the said Supplementary Report, see Appendix (T.)

AFTERNOON SITTING, 4 O'CLOCK P.M.

Decimal
Currency.

The Order of the day for the House again in Committee to consider the expediency of amending the Currency Act 4 & 5 Vic. cap. 93, with a view to the adoption of a Decimal Currency, the extension of the provisions of the Act to certain Foreign Coins coined after its passing, and other matters, being read;

The House accordingly resolved itself into the said Committee.

*Mr. Morrison took the Chair of the Committee;*²²

MR. H. SHERWOOD, having in view the correspondence which had recently taken place on this subject, wished to know if the Government intended to persist in their measure of last session. He thought that if it were persisted in, there would be a probability of an open collision between the Colonial and Imperial Governments, upon a question which the latter consider as within the exclusive prerogative of the Crown.²³

MR. INSP. GEN. HINCKS was understood to reply that he was prepared to take his stand on the point, that the question was one which legitimately came within the scope of colonial legislation. This was his view, and the view of the Government.²⁴

MR. J. CAMERON passed a very high compliment on the tone and ability which characterized the correspondence of the Inspector General with the Colonial Office, on this subject. He had displayed a thorough mastery of it, and had shown that, ... [while] the home government were so ready to trounce us, they themselves had forgotten something in the course of their proceedings. He was a strong advocate of the proper prerogative of the Crown, but this did not blind him to the rights and privileges of the colony; nor did political differences make him insensible of the fact that the province was under deep obligations to the Inspector General for his conduct in this matter.²⁵

MR. H. SHERWOOD was also sensible of the great credit that was due to the Inspector General, and had pleasure in awarding it. He (Mr. S.) would suggest, however, that the remarks of Sir C. Trevelyan in reference to a uniform currency for the British American Provinces, were well worthy of careful consideration. The plan was very desirable, if it could be carried out.²⁶

MR. H. BOULTON maintained the right of the province to legislate on this subject, and condemned the meddling policy of the Home Government in relation to it. He praised the manly, straight-forward manner in which the Inspector General had vindicated the dignity of this Colony; and recommended the adoption of a system of currency akin to that of the United States.²⁷

MR. INSP. GEN. HINCKS expressed the gratification which he had experienced from the expressions of approval which had proceeded from the other side in reference to this matter, as it was exceedingly desirable that in such a case perfect unanimity should exist in the house. The aim of the resolutions now before the house, was to accomplish an uniform currency for British North America.--The Executive Governments of Nova Scotia and New Brunswick were prepared to recommend similar measures to their provinces; and it was not at all improbable that the example would be followed by the other provinces. It was not essential to us that we should have any separate coinage, to which the Home Government had taken exception. That was more a matter of national pride than anything else; although he was satisfied that the arguments of Sir C. Trevelyan on the subject were without foundation. He was convinced that a coin of equal value to the Sovereign, but of a

different denomination, would be of great service to our mercantile classes, as it would circulate in the United States much more freely than the Sovereign. The idea that we had rescinded the prerogative of the Crown, seemed to him altogether untenable.²⁸

MR. ROBINSON was favourable to the measure but would remind the Inspector General, while assimilating our currency to that of the United States, that it was equally desirable to assimilate our weights. It would be a great accommodation if we were to take their nett 100 lbs. for a cwt, instead of 112 lbs.²⁹

MR. MACKENZIE pointed out the manifest advantages that would be derived from having a currency uniform with that of the United States.³⁰ [He] went heartily in favour of the measure, remarking on the absurdity of the letters of Mr. Trevelyan. In the United States he said there were four or six different mints, and yet the Colonial Office objected to the colony obtaining a coinage for herself in England. He saw that Lord Grey advised the adoption of the British currency, but there was no common sense in any other currency than the decimal currency, which prevailed throughout the continent. He had no doubt the other Provinces would speedily come into the arrangement.³¹

MR. J. SMITH (Durham) congratulated the House on the fact that people could now talk of dollars and cents without imputations of disloyalty,³² [and he] was glad to find a great improvement in the tone of hon. members' speeches on this subject. But recently, the question of the currency was a question of loyalty.--Now, however, all parties appreciated the advantage of the cent system. He would remind the Inspector General that, to make this measure complete, he should repeal the Statute which prevents us from keeping accounts in dollars and cents.³³

Some comments [came] from MR. INSP. GEN. HINCKS³⁴.

Some further conversation took place, principally on the relative constitutional rights of the Provincial Government, in the matter of currency.³⁵

MR. STEVENSON contended that it was impossible to have two bases of value--silver and gold--at the same time, because, as they fluctuated in value with respect to each other, that coinage which was made of the metal which was relatively lowest, would remain in circulation, and the other would be withdrawn for exportation to other countries. In the same way, it would be impossible to make any coin for Canada which would be, at the same time current in England, where they had a gold standard, and in the United States, where they had a silver and gold standard. For these reasons, he doubted the propriety of going to the expense of a coinage which could hardly be expected to answer the purpose intended.³⁶

MR. INSP. GEN. HINCKS admitted the force of the remarks of the hon. member for Prince Edward; but Canada was not in a position to act as a large independent nation. Her near connexion with the United States made her in some measure dependent upon that country. Now, if only one kind of coin were made a legal tender, the effect would be that, the fact being known, the banks, when they required coin for their vaults, would be made to pay an enormous premium. He believed these views were partaken by Mr. Holmes. Now, the necessity for a provincial silver coinage arose in this way. It was not intended to make silver a legal tender, except to a certain amount. Under such circumstances, it had been found that a little deficiency in the intrinsic value of the silver coin was of small consequence. The real inconvenience which the Province suffered at present, was this, that as the English shilling had a conventional value above its real value, there was a great inducement to bring those coins into the Province in too large amounts. They thus accumulated in the hands of merchants, who could only get rid of them at a discount. The remedy for that was a silver coin of our own, in quantities just

large enough to meet the wants of the people. The fact that its nominal value would be greater than its real value, was what was required to keep it from passing to the United States, while in small quantity, and the fact that it would be a legal tender only to a certain amount, would prevent it from influencing the exchanges.³⁷

MR. H. BOULTON approved of the course taken by Mr. Hincks, as far as it went; but, if he had been in the Ministry, he would not have proclaimed the disallowance of the bill. He would have let the Imperial Government do the best it could; but would not have been its instrument in destroying an Act of the Provincial Parliament.³⁸

This declaration was repudiated by MESSRS. SHERWOOD, AT. GEN. LAFONTAINE, INSP. GEN. HINCKS, and AT. GEN. BALDWIN, as utterly absurd, and tending only to show how stupidly we were approaching, in the opinion of some honorable members, to the state of a "great people."³⁹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Morrison reported, That the Committee had come to several Resolutions; which were read, as follow:--

1. Resolved, That it is desirable to adopt a currency for this Province which might hereafter be advantageously made common to British America, as being simple and convenient in itself, and well adapted to facilitate our commercial intercourse with other parts of this Continent; and that it is therefore expedient to adopt a Decimal Currency, in which the Unit of Account shall be a Dollar, or five shillings currency, to be divided decimally into smaller denominations.

2. Resolved, That it is expedient that such Coins, being multiples or divisions of the said Unit of Account, as Her Majesty shall see fit to direct to be struck for the purpose, should, by such names and at such rates as Her Majesty shall assign to them, respectively, pass current in this Province, provided the intrinsic value of such Coins, when of Gold, shall bear the same proportion to that of the British Sovereign as the sums for which they are respectively to pass current shall bear to One pound four shillings and four pence currency; and that the intrinsic value of such Coins, when of Silver or Copper, shall bear the same proportion to their nominal value which the intrinsic value of British Silver or Copper Coins respectively bear to their nominal value; and that the amount to which such Silver and Copper Coins shall be a legal tender in any one payment be limited.

3. Resolved, That it is expedient that the cost of obtaining and importing a sufficient quantity of such coins as aforesaid, be defrayed out of the Consol-

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idated Revenue Fund of this Province.

4. Resolved, That it is expedient that the value of the Silver Dollar of the United States, and of certain other Nations, be fixed at one Dollar, or five shillings currency, and that the other Coins now lawfully current in the Province should remain so current at rates in the new currency, equivalent in value to those at which they now pass respectively.

5. Resolved, That it is expedient to embody the substance of the four next preceding Resolutions in an Act of the Parliament of this Province, but with a provision that such Act shall not come into effect until it shall have been approved by Her Majesty in Her Privy Council, and such approval proclaimed in this Province.

The said Resolutions, being read a second time, were agreed to.

Decimal Cur-
rency Bill.

amend the Laws relative to the Currency.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to provide for the introduction of the Decimal System into the Currency of this Province, and otherwise to

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Real or mixed
Actions Bill
(L.C.).

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to amend the Law of Lower Canada as regards the District in which Actions or proceedings affecting real property may be brought, and to make further provisions as to cases in which Absentees may be parties," with several Amendments, to which they desire the concurrence of this House: And also,

Toronto Tem-
perance Refor-
mation
Society Bill.

The Legislative Council have passed a Bill, intituled, "An Act to incorporate the Temperance Reformation Society of the City of Toronto," to which they desire the concurrence of this House.

And then he withdrew.

Toronto Tem-
perance Refor-
mation
Society Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Temperance Reformation Society of the City of Toronto," was read the first time.

Census Bill.

The Order of the day for the House in Committee on the Bill to provide more effectually for taking the periodical Census of this Province, being read;

The House accordingly resolved itself into the said Committee.

Mr. Hall took the Chair of the Committee;⁴⁰

[A] discussion [arose], being precisely a repetition of what has been already reported in the debate on the second reading.⁴¹

MESSRS. MACKENZIE, MERRITT, and H. BOULTON opposed the measure, as involving a large and needless expenditure. A machinery already existed in Upper Canada, sufficient for the purpose; and it would be unjust to tax the whole Province for a system needed only in Lower Canada.⁴²

MR. INSP. GEN. HINCKS contended that the existing law had been disregarded in Lower Canada, and hence the necessity for further legislation. In that section of the Province, the enumerators must be appointed and paid by the government; and it would therefore be unjust to this section to compel it to bear its proportion of the expenses out of local taxation.⁴³

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Hall reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Savings Banks'
Act Continua-
tion Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to continue for a limited time an Act, intituled, 'An Act to encourage

*the establishment of and regulate Savings Banks in this Province,' " being read;*⁴⁴

MR. INSP. GEN. HINCKS moved the second reading of the bill to continue Savings' Bank Act.⁴⁵

MR. SHERWOOD understood that this was to be continued merely in a formal way, but he had discovered that it was intended to continue it for five years. Why not make it permanent?⁴⁶

MR. INSP. GEN. HINCKS did not know, as the bill was from the Upper House, that there could be any objections to make the bill permanent. Of course, it was one of those Acts which the Legislature might at any time extend.⁴⁷

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The Bill was accordingly read a second time; and ordered to be read the third time on Friday next.

Jurors Act

(U.C.) Amend-
ment Bill.

The Order of the day for the House in Committee on the Bill to amend the Upper Canada Jurors Act of 1850, and to make some further provisions for the better accomplishment of the object thereof, being read;

The House accordingly resolved itself into the said Committee.

Mr. Lacoste took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lacoste reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Supply.

*The House, according to Order, proceeded to take into further consideration the One hundred and first to the One hundred and eighty-seventh Resolutions, both inclusive, which were on Friday last, reported from the Committee of Supply.*⁴⁸

The House resumed consideration of the report of Committee of Whole on Supply, beginning with the item of £1,666, as compensation to Mr. J.A. Roebuck, for services as agent of the House of Assembly for Lower Canada.⁴⁹

MR. W. BOULTON asked if the government were prepared to give any explanation⁵⁰ [or] information⁵¹ with regard to this item?⁵²

MR. INSP. GEN. HINCKS did not think any information necessary⁵³ [and he] said there was nothing new to put before the House on this point. The government considered that Mr. Roebuck, having been engaged as Agent for⁵⁴ the House of Assembly of Lower Canada⁵⁵ had a valid claim for services rendered in that capacity.⁵⁶

MR. W. BOULTON denied that there was any claim at all; and entered into a long statement in support of his opinion.⁵⁷ [He] went over the history of the appointment of Mr. Roebuck to advocate the ninety-two resolutions in England. He read a statement of Lord Glenelg to the effect that he could not recognise him as agent of the House of Assembly, and that in consequence of this Mr. Roebuck wrote a letter defining his position. The House of Assembly in 1836 passed another resolution, limiting the time of his appointment to one year. He found that Mr. Roebuck was paid for 1836; and he did not find that he received any authorisation for that gentleman acting as agent in 1837. He (Mr. B.) did not think that he was entitled to payment for it. He also found in a despatch of Lord Sydenham that the Special Council had adjudicated on this claim, and had decided against it. He asked why the claim was reserved for the present session? Why was it kept until 1851, and no demand made for it?⁵⁸

MR. AT. GEN. LAFONTAINE pronounced the claim a just one, ... which should have been paid long since.⁵⁹ [He] had thought the hon. member sincere in the advocacy of his republican principles, but he was sorry he could not believe that now. Was the hon. member not aware that the old Colonies had most of them paid agents in England appointed by the popular branch in spite of the Legislative Councils? The hon. member of course knew that. Mr. L. here went over the history of several appointments of these agents, reading a resolution of the House of Assembly of New York, appointing Edmund Burke as the agent.⁶⁰ He showed ... that the appointment of agents to act in the Imperial Parliament was justified by reason and precedents, and explained the circumstances attendant upon Mr. Roebuck's appointment.⁶¹ Mr. Roebuck was the regular agent of Canada up to the time of the suspension of the constitution⁶², the whole of which rebutted the assertions and arguments of the junior member for Toronto.⁶³

MR. W. BOULTON asked what "for one year" meant?⁶⁴

MR. AT. GEN. LAFONTAINE said the resolution appointed him agent for an indefinite period, to be paid annually at the rate of £500 for one year. The original resolutions was in French, and meant so much a year annually. Lord John Russell and Lord Normanby had stated that Mr. Roebuck had a just claim; and did the junior member for Toronto think his opinion better than theirs?⁶⁵

MR. W. BOULTON said the French was "pour une année".⁶⁶

MR. AT. GEN. LAFONTAINE said the translation of the expression meant so much a year. There was no limit in the resolution of the time of his appointment. Another part of it declared that his contingent expenses should be paid every six months, and that proved there was no limit. With respect to the special council, it was not unlikely that it should refuse the claims, as it was composed in part of the old Legislative Council. But the special council had decided against paying the salary of the Speaker of the Lower Canada House of Assembly, and this argument should also hold with respect to his case, if it did to Mr. Roebuck's. But gentlemen opposite in 1846 were glad to pay the Speaker of the House of Assembly. Why not, then, Mr. Roebuck?⁶⁷

A Voice--He was not in the country.⁶⁸

MR. AT. GEN. LAFONTAINE sneeringly said, oh, that is your best argument. He went on to show that Mr. Papineau was appointed solely by the Assembly, as were also several other officers, who had been paid. This argument was adduced to show that the House of Assembly had the recognized power to appoint officers. He regretted to see any opposition to the claim. In reply to a statement of Mr. Boulton of Toronto, he was understood to say that Mr. Roebuck had never made any claim to the special council, and did not know where Lord Sydenham got his information. He was indistinctly audible throughout.⁶⁹

MR. CAYLEY intimated his intention to vote for the grant⁷⁰. [He] expressed his belief that the House of Assembly had the power to appoint an agent; and he admitted to the fullest the responsibility of that House to recognize the debts of Lower Canada before the Union. He also expressed his belief in the soundness of Mr. Lafontaine's argument that Mr. Roebuck was duly appointed; but he said that evidence of the service for the claim in question had not been so satisfactorily stated as it should be. He went on to justify the payment of Mr. Papineau's salary.⁷¹

MR. MACDONALD (Kingston) would vote against the amendment, and for the resolution. He expressed his concurrence in the opinion of Lord Normanby⁷² [and he] supported the claim, on the ground that in 1839, the Marquis of Normanby--who had the best opportunities of knowing the whole affair, so far as Mr. Roebuck was con-

cerned--had decided in favour of the claim.⁷³

MR. MACKENZIE urged the claim, and highly eulogised the chivalrous devotion which distinguished Mr. Roebuck throughout the whole of his agency.⁷⁴ [He] hoped that there would not be one vote in the House against paying the claim of Mr. Roebuck, contending that he had been the disinterested and eloquent champion of Canada.⁷⁵ In the course of his speech, Mr. M. adverted to the rebellion in this Province, and stigmatized the conduct of the Government of that period, as a blot upon the history of the world;⁷⁶ and had warmly denounced in the House of Commons the bloody scene that had been enacted in Canada, in the hanging of poor Lount, and Cardinal, and others⁷⁷ contrasting it with the forbearance to political opponents distinguished by the French Revolution of 1830 and 1848.⁷⁸ Men there were not sent to the gallows or the guillotine. Those bloody scenes were reserved for Canada, and would for ever be a foul stain on her history. He dilated on the debt the country owed to the Lower Canada House of Assembly.⁷⁹

MR. ROBINSON intended to vote for the grant, in reliance upon the accuracy of the explanation of the Attorney General East⁸⁰ [and] the remarks that had fallen from ... Messrs. MacDonald, and Cayley.⁸¹ The honourable member went on to assail in severe terms the conduct and speeches of the member for Haldimand⁸², Mr. Mackenzie, ... saying that that member should be the last man in that House to allude to the late troubles, which he reproached him with having been the cause of the blood that was shed. He (Mr. Robinson) had never before reproached the hon. member for the part he had enacted, and he never wished to do so; but he could not sit still and listen to the manner in which that hon. member referred to the troubles and bloodshed that he had been the cause of; and of which he had escaped the consequences. He was the last man who should revive the scenes of that period. Poor Lount, who had been hanged, was in every respect a superior man to him; and he (Mr. Robinson) had done all he could to soothe his last moments. He could testify that he had said nothing favourable of the hon. member for Haldimand. The whole country regretted the execution of Mr. Lount; but the laws had to be vindicated. It made his (Mr. R.'s) blood boil when he heard the hon. member for Haldimand say that in France men had been spared; but, that it was for this country that bloody scenes had been reserved. The act of amnesty had been unanimously passed; and there was a disposition to forget the past. He thought the hon. member should be grateful to the sovereign for that, and avoid referring in a taunting manner, to those bloody scenes. If he had been in the situation of the hon. member,--first in reflection, and afterwards, having left the country for his country's good, had been pardoned,--he would never think of such a proposition as this.⁸³

MR. INSP. GEN. HINCKS said a more injudicious speech could not have been made in support of the claim, than that of the member for Haldimand, who appeared on all occasions to do his utmost to revive personal animosities and reminiscences which all should try to forget. With regard to the grant itself, he (Mr. H.) believed that it was a debt which the Province was bound in honour to discharge.⁸⁴ Mr. Roebuck had been regularly appointed and recognised by the Parliament of England. This was very usual with other colonies, and as he had done his work he ought to be paid for it.⁸⁵

MR. MCCONNELL felt bound to vote for the grant, which was perfectly consistent with the grant to Mr. Papineau which the House had already sanctioned.⁸⁶

MR. H. SHERWOOD said an examination of the correspondence on this subject, satisfied him that the sum proposed was due in fulfilment of a contract entered into between the Legislature at that time and Mr. Roebuck.⁸⁷

MR. BADGLEY felt bound to vote for the original sum, the payment of which appeared to him to be only an act of justice.⁸⁸

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And the One hundred and first Resolution being read a second time;

Mr. Boulton of Toronto moved in amendment thereunto, seconded by Mr. Seymour, That the words "One thousand six hundred and sixty-six pounds thirteen shillings and four pence" be left out, and the words "Four hundred pounds, being the balance of contingencies due to him for one thousand eight hundred and thirty six" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Malloch, Seymour, Sherwood of BROCKVILLE, and Stevenson.--(5.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Gugy, Guillet, Hall, Hincks, Holmes, Hopkins, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McConnell, McFarland, McLean,⁸⁹ Méthot, Mongenais, Polette, Price, Richards, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Taché, and Viger.--(52.)

So it passed in the Negative.

And the One hundred and first Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Gugy, Guillet, Hall, Hincks, Holmes, Hopkins, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Lemieux, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McConnell, McFarland, Méthot, Mongenais, Polette, Price, Richards, Robinson, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of FRONTENAC, Smith of WENTWORTH, Taché, and Viger.--(50.)

NAYS.

Messieurs Boulton of TORONTO, Malloch, McLean, Seymour, Sherwood of BROCKVILLE, and Stevenson.--(6.)

So it was resolved in the Affirmative.

The One hundred and second Resolution being read a second time;

The next item was £250, as compensation to Wm. L. Mackenzie, for services as director of the Welland Canal Company.⁹⁰

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Mr. Boulton of Toronto moved in amendment thereunto, seconded by Mr. Malloch, That all the words after "compensate" to the end of the said Resolution be left out, and the words "for their services in 1835, three Directors of the Welland Canal, appointed by the House of Assembly of Upper Canada in accordance with an Act of the Provincial Parliament of Upper Canada, such sum as may have been sanctioned by the Legislature of Upper Canada, not exceeding in the whole Two hundred and

fifty pounds" inserted instead thereof;

And the Question being put on the Amendment;

MR. FLINT would vote against the grant. He had voted for the Rebellion Losses Bill under the idea that no one actually in arms would be paid, but he could not do that in this case.⁹¹ However valid the claim might have been once, it had been forfeited by the manner in which Mr. Mackenzie left the country.⁹²

MR. MACKENZIE said that if the £250 was voted to him, it must be with a distinct understanding that he deserved it. He would not have it thought that he entered the House a suppliant for its bounty; nor would he allow its receipts to influence his speeches or his votes. The act of amnesty under which he returned to the province, declared that he should be held liable for debts due by him before the rebellion, and that debts due to him should be paid.⁹³ He had to pay his debts, and he must in order to do that, be paid. If Mr. Papineau got paid, so ought he.⁹⁴ He proceeded to review his conduct in the affair which formed a basis of this claim, and cited Mr. Hinck's opinion in his favour⁹⁵ [in] a letter ... published⁹⁶ some years ago⁹⁷ in the Constitutional newspaper, stating that the accounts of that company contained more false entries than true ones; and that he (Mr. Mackenzie) had not merely exposed these things, but the system; for all which the latter declared that he (Mr. Mackenzie) had received nothing but abuse. He then showed that it was by the stopping the supplies--a measure, which he had himself advocated--that he had been kept out of the money for sixteen years.⁹⁸

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Macdonald of KINGSTON, Malloch, Seymour, and Sherwood of TORONTO.--(6.)

NAYS.

Messieurs Baldwin, Bell, Bouthillier, Burritt, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Flint, Fortier, Fournier, Fourquin, Guillet, Hall, Hincks, Hopkins, Johnson, Attorney General LaFontaine, LaTerrière, Letellier, Lyon, Solicitor General Macdonald, McConnell, McFarland, McLean, Méthot, Mongenais, Polette, Price, Richards, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, Taché, and Viger.--(41.)

So it passed in the Negative.

The One hundred and second Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Gugy, Guillet, Hall, Hincks, Hopkins, Johnson, Attorney General LaFontaine, LaTerrière, Letellier, Solicitor General Macdonald, McConnell, McFarland, Méthot, Polette, Price, Richards, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, and Viger.--(36.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Cayley, Flint, Lyon, Macdonald of KINGSTON, Malloch, McLean, Robinson, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(14.)

So it was resolved in the Affirmative.

The One hundred and third Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bell, Burritt, Cartier, Davignon, Solicitor General Drummond, Fournier, Gugy, Guillet, Hincks, Hopkins, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Letellier, Solicitor General Macdonald, Mackenzie, McConnell, McFarland, Méthot, Mongenais, Polette, Price, Richards, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, and Taché.--(29.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Flint, Macdonald of KINGSTON, Malloch, McLean, Robinson, Seymour, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(11.)

So it was resolved in the Affirmative.

The One hundred and fourth to the One hundred and eighth of the Resolutions, both inclusive, being read a second time, were agreed to.

The One hundred and ninth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution;

The item of £290 15s to Jos. Turton, for the erection of the Parliamentary buildings at Toronto, was opposed by MR. W. BOULTON.⁹⁹

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Burritt, Cartier, Cauchon, Davignon, Duchesnay, Flint, Gugy, Guillet, Hall, Hincks, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McConnell, McFarland, Méthot, Mongenais, Polette, Price, Richards, Robinson, Sanborn, Scott of BYTOWN, Smith of FRONTENAC, Smith of WENTWORTH, and Taché.--(34.)

NAYS.

Messieurs Boulton of TORONTO, Malloch, McLean, Seymour, and Stevenson.--(5.)
So it was resolved in the Affirmative.

The One hundred and tenth and One hundred and eleventh Resolutions, being read a second time, were agreed to.

The One hundred and twelfth Resolution being read a second time;

On the item of £10,000 for a Governor's House at Toronto, MR. H. SMITH (Frontenac) opposed the grant. He did not believe it would ever be agreed upon by another Parliament, for he was convinced a majority would be opposed to the system of perambulating Parliaments.¹⁰⁰

MR. J. SCOTT (Bytown) would vote any reasonable sum to fix the seat of Government in some one place; but never for this perambulating system, which he had never consented to, and never would consent to. The hon. member for Toronto, who had shown himself so great an economist throughout the estimates, was quite ready to swallow the grant of £10,000.¹⁰¹

MR. ROBINSON expressed similar opinions.¹⁰²

MR. INSP. GEN. HINCKS was personally of the same opinion; but thought it

necessary to carry out the arrangement which had been agreed upon.¹⁰³

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Mr. Seymour moved, seconded by Mr. Stevenson, and the Question being put, That the further consideration of the said Resolution be postponed, until a central and convenient place is selected by Her Majesty for a permanent Seat of Government;

MR. MACDONALD [Kingston] said that there was no necessity to put this vote on the estimates this year. It would be just as much in time in three years. The only object of the vote was to keep the people of Toronto quiet while the seat of government was removed. He was astonished to hear the hon. Inspector General speak of the Parliamentary vote. The vote, yeas and nays together, were but 40, and the majority for alternate Parliaments was small at that. Nor was it correct to disregard the opinion of the Upper House, which had voted directly the other way. Besides, of the three members of the Government now in the Lower House, two of them were opposed to alternate Parliaments. The Attorney General East had voted against it, and the Inspector General said he would have voted against it if he had been there.¹⁰⁴

MR. INSP. GEN. HINCKS contended that it was proper to build houses instead of to hire them.¹⁰⁵

MR. G. SHERWOOD asked, why build the House, if the Government were to go for four years to Quebec? It was well known that under the circumstances in which the vote for alternate Parliaments was given at Montreal, the members could hardly be said to be in their sober senses; and it was nearly certain that in a full House, no such vote could have been carried.¹⁰⁶

DR. DAVIGNON spoke to the same effect, and expressed his intention to oppose the grant.¹⁰⁷

MR. MALLOCH said that he did not consider for one moment that the Government were serious in expecting the House to assent to this grant of £10,000 for the purpose of throwing [it] about the streets of Toronto. When the question of alternate Parliaments came up during the session last held in Montreal, he voted against the proposition, for he at that time considered the idea as preposterous, and he still continued to be of the same opinion. The sums squandered away in removing the different departments connected with the Government was enormous, and he warned the House that the country would not stand it much longer. To carry on the Government by this system of saddle bag Parliaments was so ridiculous that it cannot be much longer endured.¹⁰⁸

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Davignon, Dumas, Hall, Hopkins, Letellier, Lyon, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McLean, Robinson, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Stevenson.--(20.)

NAYS.

Messieurs Armstrong, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chauveau, Duchesnay, Flint, Fortier, Fournier, Gigu, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Solicitor General Macdonald, McFarland, Méthot, Mongenais, Polette, Price, Richards, and Taché.--(26.)

So it passed in the Negative.

The One hundred and twelfth Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chauveau, Solicitor General Drummond, Duchesnay, Flint, Fortier, Fournier, Gugy, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Solicitor General Macdonald, McFarland, Méthot, Mongenais, Polette, Price, and Taché.--(26.)

NAYS.

Messieurs Badgley, Davignon, Dumas, Hall, Hopkins, Letellier, Lyon, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McLean, Richards, Robinson, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Stevenson.--(21.)

So it was resolved in the Affirmative.

The One hundred and thirteenth Resolution, being read a second time, was agreed to.

The One hundred and fourteenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution;

On the item of £3000 for repairs, & c., to Spencer Wood, MR. J. SCOTT (Bytown) said he thought this expenditure was necessary, inasmuch as the Government was pledged to go to Quebec, but he would oppose the next item, on the same principle that he had already voted against the £10,000.¹⁰⁹

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the House divided:

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and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Gugy, Guillet, Hall, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, McFarland, Méthot, Mongenais, Polette, Price, Richards, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, and Taché.--(37.)

NAYS.

Messieurs Hopkins, Mackenzie, Malloch, McLean, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Stevenson.--(9.)

So it was resolved in the Affirmative.

The One hundred and fifteenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bouthillier, Cartier, Cauchon, Chauveau, Duchesnay, Flint, Fortier, Fournier, Gugy, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, McFarland, Méthot, Mongenais, Polette, Price, Richards, Scott of TWO MOUNTAINS, and Taché.--(27.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Davignon, Dumas, Hall, Hopkins, Lyon, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McLean, Robinson, Sanborn, Scott of BYTOWN, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Stevenson.--(19.)

So it was resolved in the Affirmative.

The One hundred and sixteenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution;

On the item of £1250 for balance of the expense of the removal of the seat of Government to Toronto. MR. MACDONALD [Kingston] asked what was the expense of the removal, if this were the balance?¹¹⁰

MR. INSP. GEN. HINCKS could not tell, but complained of the practice of adding to the legitimate expense of the removal the cost of fitting up the House.¹¹¹

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the House divided:--And it was resolved in the Affirmative.

The One hundred and seventeenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution;

On the item of £5000 for the expense of removal to Quebec, MR. SMITH asked whether this estimate included the purchase of new furniture & c.; but got no reply, as far as we understood.¹¹²

MR. MACDONALD [Kingston] again asked what would be the expense of the removal --upon what the estimate was made up?¹¹³

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bouthillier, Cartier, Cauchon, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Guay, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General Macdonald, McConnell, McFarland, Méthot, Mongenais, Polette, Price, Richards, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Stevenson, and Taché.--(35.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Hopkins, Macdonald of KINGSTON, Mackenzie, Malloch, McLean, Robinson, Seymour, Sherwood of BROCKVILLE, and Smith of FRONTENAC.--(11.)

So it was resolved in the Affirmative.

The One hundred and eighteenth to the One hundred and twentieth of the Resolutions, both inclusive, being read a second time, were agreed to.

The One hundred and twenty-first Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière,

Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McFarland, McLean, Méthot, Mongenais, Polette, Price, Richards, Robinson, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Stevenson, and Taché.--(42.)

NAY.

Mr. Mackenzie.--(1.)

So it was resolved in the Affirmative.

The One hundred and twenty-second to the One hundred and twenty-fourth of the Resolutions, both inclusive, being read a second time; and the Question, That this House doth concur with the Committee in the said Resolution, being separately put upon each; the House divided: and the names being called for, they were taken down, as in the last preceding division.

So it was resolved in the Affirmative.

The One hundred and twenty-fifth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution;

On the next item of £1000 for the Toronto Academy being proposed, MR. J. SCOTT of Bytown opposed the motion. He was opposed to all these grants, and would vote against any new ones. Besides everything seemed to be centralized in Toronto.¹¹⁴

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the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bouthillier, Cartier, Cauchon, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McConnell, McFarland, McLean, Méthot, Mongenais, Polette, Price, Richards, Robinson, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, Stevenson, and Taché.--(39.)

NAYS.

Messieurs Boulton of TORONTO, Fournier, Mackenzie, and Scott of BYTOWN.--(4.)
So it was resolved in the Affirmative.

The One hundred and twenty-sixth to the One hundred and thirty-eighth of the Resolutions, both inclusive, being read a second time, were agreed to.

The One hundred and thirty-ninth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided:--And it was resolved in the Affirmative.

The One hundred and fortieth to the One hundred and forty-ninth of the Resolutions, both inclusive, being read a second time, were agreed to.

The One hundred and sixtieth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chauveau, Davignon, Duchesnay, Dumas, Flint, Fortier, Fournier, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McConnell, McFarland, McLean, Méthot, Mongenais, Polette, Price, Richards, Robinson, Scott of BYTOWN,

Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Taché.
--(39.)

NAY.

Mr. Mackenzie.--(1.)

So it was resolved in the Affirmative.

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The One hundred and sixty-first to the One hundred and sixty-fourth of the Resolutions, both inclusive, being read a second time, were agreed to.

The One hundred and sixty-fifth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bouthillier, Cartier, Cauchon, Chauveau, Davignon, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, McConnell, McFarland, McLean, Méthot, Mongenais, Polette, Price, Richards, Robinson, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of FRONTENAC, Stevenson, and Taché.--(39.)

NAYS.

Messieurs Boulton of TORONTO, Mackenzie, and Malloch.--(3.)

So it was resolved in the Affirmative.

The One hundred and sixty-sixth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down as in the last preceding division.

So it was resolved in the Affirmative.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,
Ordered, That the One hundred and sixty-seventh to the One hundred and eighty-seventh of the Resolutions, both inclusive, be taken into further consideration on Friday next.

Supply. The Order of the day for the House in Committee of Supply,
being read;

The House accordingly resolved itself into the said Committee.

Mr. Lyon took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lyon reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Friday next.

Orders deferred. Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Scott of Bytown,
The House adjourned.

FOOTNOTES: 6 AUGUST 1851.

1. The following papers reported the debate on this matter in identical accounts: GLOBE, 7 August 1851, and MONTREAL GAZETTE, 11 August 1851. The debate was also reported by BRITISH COLONIST, 8 August 1851. All of these papers noted in error that the vote on this matter was "carried 41 to 12".
2. BRITISH COLONIST, 8 August 1851.
3. GLOBE, 7 August 1851.
4. BRITISH COLONIST, 8 August 1851.
5. The following papers reported the debate on this matter in identical accounts: GLOBE, 7 August 1851, BRITISH COLONIST, 8 August 1851, NORTH AMERICAN, 8 August 1851, and MONTREAL GAZETTE, 11 August 1851. The debate was also reported by HAMILTON SPECTATOR, 9 August 1851. All of these papers noted in error that this Bill was given "the three months hoist".
6. HAMILTON SPECTATOR, 9 August 1851.
7. IBID.
8. IBID.
9. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 7 August 1851, BRITISH COLONIST, 8 August 1851, NORTH AMERICAN, 8 August 1851, HAMILTON SPECTATOR, 9 August 1851, MONTREAL GAZETTE, 11 August 1851, and LA MINERVE, 12 August 1851.
10. HAMILTON SPECTATOR, 9 August 1851.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. BRITISH COLONIST, 8 August 1851.
17. HAMILTON SPECTATOR, 9 August 1851.
18. BRITISH COLONIST, 8 August 1851.
19. IBID.
20. HAMILTON SPECTATOR, 9 August 1851.
21. BRITISH COLONIST, 8 August 1851.
22. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 7 August 1851, BRITISH COLONIST, 8 August 1851, HAMILTON SPECTATOR, 9 August 1851, MONTREAL GAZETTE, 11 August 1851, PILOT, 14 August 1851, NORTH AMERICAN, 15 August 1851, and LA MINERVE, 12 August 1851. The debate was also reported by GLOBE, 9 August 1851. The following papers noted the debate in identical accounts: MONTREAL GAZETTE, 7 August 1851, PILOT, 7 August 1851, and LA MINERVE, 9 August 1851. A commentary appeared, in a separate account, in BRITISH COLONIST, 8 August 1851.
23. HAMILTON SPECTATOR, 9 August 1851.
24. IBID.
25. IBID.
26. GLOBE, 9 August 1851.
27. HAMILTON SPECTATOR, 9 August 1851.
28. IBID.
29. IBID.
30. IBID.
31. BRITISH COLONIST, 8 August 1851.
32. IBID.
33. HAMILTON SPECTATOR, 9 August 1851.
34. BRITISH COLONIST, 8 August 1851.
35. HAMILTON SPECTATOR, 9 August 1851.
36. BRITISH COLONIST, 8 August 1851.

37. IBID.
38. IBID.
39. IBID. The following papers reported that the resolutions were agreed to "without a division": GLOBE, 7 August 1851, HAMILTON SPECTATOR, 9 August 1851, and MONTREAL GAZETTE, 11 August 1851.
40. The following papers reported the debate on this matter in identical accounts: GLOBE, 7 August 1851, and MONTREAL GAZETTE, 11 August 1851. The following papers noted the debate in identical accounts: BRITISH COLONIST, 8 August 1851, PILOT, 14 August 1851, NORTH AMERICAN, 15 August 1851, and LA MINERVE, 12 August 1851.
41. BRITISH COLONIST, 8 August 1851.
42. GLOBE, 7 August 1851.
43. IBID.
44. The following papers reported the debate on this matter in identical accounts: GLOBE, 9 August 1851, and MONTREAL GAZETTE, 12 August 1851.
45. GLOBE, 9 August 1851.
46. IBID.
47. IBID.
48. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 8 August 1851, PILOT, 14 August 1851, and NORTH AMERICAN, 15 August 1851; GLOBE, 9 August 1851, and MONTREAL GAZETTE, 12 August 1851.
49. GLOBE, 9 August 1851.
50. IBID.
51. BRITISH COLONIST, 8 August 1851.
52. GLOBE, 9 August 1851.
53. BRITISH COLONIST, 8 August 1851.
54. GLOBE, 9 August 1851.
55. BRITISH COLONIST, 8 August 1851.
56. GLOBE, 9 August 1851.
57. IBID.
58. BRITISH COLONIST, 8 August 1851.
59. GLOBE, 9 August 1851.
60. BRITISH COLONIST, 8 August 1851.
61. GLOBE, 9 August 1851.
62. BRITISH COLONIST, 8 August 1851.
63. GLOBE, 9 August 1851.
64. BRITISH COLONIST, 8 August 1851.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. IBID.
70. GLOBE, 9 August 1851.
71. BRITISH COLONIST, 8 August 1851.
72. IBID.
73. GLOBE, 9 August 1851.
74. IBID.
75. BRITISH COLONIST, 8 August 1851.
76. GLOBE, 9 August 1851.
77. BRITISH COLONIST, 8 August 1851.
78. GLOBE, 9 August 1851.
79. BRITISH COLONIST, 8 August 1851.
80. GLOBE, 9 August 1851.
81. BRITISH COLONIST, 8 August 1851.
82. GLOBE, 9 August 1851.

83. BRITISH COLONIST, 8 August 1851.
84. GLOBE, 9 August 1851.
85. BRITISH COLONIST, 8 August 1851.
86. GLOBE, 9 August 1851.
87. IBID.
88. IBID.
89. GLOBE, 9 August 1851, and MONTREAL GAZETTE, 12 August 1851, reported that McLean voted in favour of the amendment.
90. GLOBE, 9 August 1851.
91. BRITISH COLONIST, 8 August 1851.
92. GLOBE, 9 August 1851.
93. IBID.
94. BRITISH COLONIST, 8 August 1851.
95. GLOBE, 9 August 1851.
96. BRITISH COLONIST, 8 August 1851.
97. GLOBE, 9 August 1851.
98. BRITISH COLONIST, 8 August 1851.
99. IBID.
100. NORTH AMERICAN, 15 August 1851.
101. BRITISH COLONIST, 8 August 1851.
102. IBID.
103. IBID.
104. IBID.
105. IBID.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. IBID.
112. IBID.
113. IBID.
114. IBID.

THURSDAY, 7 AUGUST 1851.

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--The Petition of Thomas Wardrope and others, of the Town of Bytown.

By the Honorable Mr. Merritt,--The Petition of William A. Chisholm and others, of the Town and vicinity of St. Catherines.

By Mr. Fergusson,--The Petition of William Crowe, Chairman, and William Stevenson, Secretary, on behalf of a meeting of the Members of the Wesleyan Methodist Society in Guelph.

By the Honorable Mr. Sherwood,--The Petition of Henry Allen, of the City of Toronto, Esquire, Barrister, and heretofore Judge of the District of London.

Report on
Petition of Messrs.
Benson & Co. and
others.

Mr. Christie, from the Select Committee to which was referred the Petition of Messieurs Benson and Company, and others, Merchants, and others interested in the Lumber Trade, with power to report by Bill or otherwise, presented to the House the Report of the said Committee; which was

read, as followeth:--

Your Committee having carefully considered the Petition referred to them, find that in the Act 13 & 14 Vic. intituled, "An Act to repeal two certain Acts therein mentioned relating to Agriculture, and to provide for the remedy of abuses prejudicial to Agriculture," a provision is contained, enacting that no person shall enter into or pass through any field or other property in Lower Canada, nor along the banks of any river or rivulet through any property, without permission of the proprietor, under a penalty of from five to thirty shillings for each offence. This provision is found, as Your Committee have reason to believe, a great impediment to lumberers and others bringing timber down the various rivers navigable for timber, an effect which Your Committee cannot suppose to have been intended by the said Act; and as they look upon the timber trade as one of great importance to the Province, they are of opinion, that every facility which the Laws of the Province afford should be extended to those engaged in the trade, and they have accordingly prepared a Bill to exempt lumbermen and others conveying timber down any river or rivulet in Lower Canada from the operation of the above mentioned provision, so as to allow them the free use of the stream and its banks for the floating and conveyance of timber; which Bill they respectfully beg leave to report for the consideration of Your Honorable House.

Bill relating to
navigable Rivers
and Rivulets (L.C.).

Mr. Christie then presented to the House a Bill to amend an Act passed in the thirteenth and fourteenth years of Her Majesty's Reign relating to Agriculture in Lower Canada, in so far as the said Act concerns navigable

Rivers and Rivulets, and the banks thereof used in the floating and conveyance of Wood and Timber, which was received and read for the first time; and ordered to be read a second time on Monday next.

Bill relating to
the Bar of
Lower Canada.

Mr. Christie reported from the Select Committee on the Bill in amendment of an Act to incorporate the Bar of Lower Canada, and of a certain other Act therein mentioned, That the Committee had gone through the Bill, and made

amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Monday next.

Ordered, That the Bill, as amended, be printed for the use of the Members of this House.

First Report of
Committee on Seign-
iorial Tenure.

Mr. Solicitor General Drummond, from the Select Committee to which were referred the Resolutions adopted by this House on the 26th June last, relating to the Seigniorial Tenure in Lower Canada, and other references, with an Instruction to the said Committee, and with power to report from time to time, by Bill or otherwise, presented to the House the First Report of the said Committee; which was read, as followeth:--

Your Committee having taken into consideration the Resolutions adopted by Your

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Honorable House, on the 26th June, 1850, and having applied themselves assiduously to the enquiry which Your Honorable House, on the 26th June last, specially instructed them to make, a majority of Your Committee have been convinced that many of the Seigniors, Proprietors of Fiefs and Seigniories in Lower Canada, have, in conceding the lands in their respective censives, made various reservations and imposed several conditions and burthens on such lands, which were totally unauthorized by the Laws of the Country, and that several Seigniors have exacted from their Censitaires annual Seigniorial rents exceeding the rate allowed by Law.

In this state of things, Your Committee are of opinion, that it is just and necessary to remedy, without further delay, the abuses which have crept into the Seigniorial system in Lower Canada, and that no plan of commutation can be safely determined upon unless those abuses be previously corrected, and the respective rights of the Censitaires and Seigniors clearly defined by Legislative enactment.

Your Committee have therefore instructed their Chairman to prepare a Bill to define the respective rights of the Seigniors and Censitaires in Lower Canada, and to facilitate the exercise of those rights; and a majority of Your Committee having approved of the various Clauses of this Bill, Your Committee beg now to submit it to Your Honorable House, in the firm hope that it will be passed into a Law before the close of the present Session, with such amendments as may be determined upon.

Your Committee having already devoted much time and attention to the various plans of commutation which have been submitted by the Members of the Committee, as well as to those which were suggested to the Commissioners appointed, in 1841, to enquire into the Seigniorial Tenure in Lower Canada, hope to be enabled, before the close of the present Session, to lay before Your Honorable House a plan which, if passed into a Law at a future Session, with such modifications as further reflection and discussion may suggest, will, within a few years, secure the conversion of all lands held en roture into a free tenure, without any material prejudice to the interests of any of the parties concerned.

Bill to define
certain rights
of Seigniors, &c.

Mr. Solicitor General Drummond then presented to the House a Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof, which was received and read for the first time;

and ordered to be read a second time to-morrow.

Seigniorial
Tenure.

Ordered, That the First Report of the Select Committee on Seigniorial Tenure in Lower Canada, be printed for the use of the Members of this House.

Fourteenth Report
of Committee on
Private Bills.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Fourteenth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance in Canada West, and

have made certain amendments thereto, which they beg to submit for the consideration of Your Honorable House.

Your Committee have also examined the engrossed Bill from the Legislative Council, intituled, "An Act to allow a grant of the Hospital Reserve, Belleville, to the Town Council," and have agreed to report the same, without any amendment.

Belleville Hos-
pital Reserve
Bill. Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to allow a grant of the Hospital Reserve, Belleville, to the Town Council," be read the third time to-morrow.

Sons of Temper-
ance Bill (U.C.). Ordered, That the Bill to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance in Canada West, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for to-morrow.

On motion of the Honorable Mr. Chabot, seconded by Mr. Sherwood of Brockville,
74th Rule Ordered, That the Seventy-fourth Rule of this House, That no
suspended. Committee on any Private Bill shall sit thereupon, without first causing a week's notice of the day of sitting to be set up in the Lobby, be suspended during the remainder of the Session.

Real or mixed Ordered, That the Amendments made by the Legislative Council
Actions Bill. to the Bill, intituled, "An Act to amend the Law of Lower
Canada as regards the District in which Actions or proceedings affecting real property may be brought, and to make further provisions as to cases in which Absentees may be parties," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 10. Leave out from "the" to "in" where it occurs the first time in line 11, and insert "the cause of such Actions respectively shall be held to have arisen."

Press 1, line 11. After "District" insert "or Circuit as the case may be," and after "question" insert "in such Actions respectively," and leave out from "situate" to "and" in line 26.

Press 1, line 27. After "District" insert "or Circuit."

Press 1, line 28. After "District" insert "or Circuit."

Press 1, line 31. After "District" insert "or Circuit."

Press 1, line 34. After "District" insert "or Circuit."

Press 1, line 36. After "Districts" insert "or Circuits."

Press 1, line 38. After "District" insert "or Circuit."

In the Preamble of the Bill:

Press 1, line 1. After "District" insert "or Circuit."

In the Title of the Bill:

Line 1. After "District" insert "or Circuit."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Chauveau do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Joint Stock An engrossed Bill to amend the Act, intituled, "An Act to
Roads Comp-
anies Bill (U.C.). authorize the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada," and to extend the provisions thereof, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Boulton do carry the Bill to the Legislative Council, and desire their concurrence.

On motion of Mr. Dickson, seconded by Mr. Sherwood of Brockville,

Mutual Insurance
Companies Bill
(U.C.).

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to encourage the establishment of Additional Mutual Insurance Companies in

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Upper Canada," be read a second time on Saturday next.

Yamaska and
Drummond Circuit
Court Bill.

Ordered, That Mr. Gugy have leave to bring in a Bill to establish a Circuit Court for the County of Yamaska, and for a certain part of the County of Drummond.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Naval Reserves
Vesting Bill.

Ordered, That the Honorable Mr. Baldwin have leave to bring in a Bill for vesting in the Commissioners for executing the Office of Lord High Admiral of the United

Kingdom of Great Britain and Ireland, the Estates and Property therein described, and for granting certain powers to the said Commissioners, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Bill relating
to Marriages.

Ordered, That Mr. Mackenzie have leave to bring in a Bill to remove impediments in the way of early Marriages.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Census Bill.

Mr. Hall reported the Bill to provide more effectually for taking the periodical Census of the Province; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Jurors Act
(U.C.) Amend-
ment Bill.

Mr. Lacoste reported the Bill to amend the Upper Canada Jurors Act of 1850, and to make some further provisions for the better accomplishment of the object thereof; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

Bill to restore
rights to cer-
tain parties.

The Legislative Council have passed a Bill, intituled, "An Act to define and restore certain rights to parties therein mentioned," to which they desire the concurrence of this House.

And then he withdrew.

Bill to restore
rights to cer-
tain parties.

An engrossed Bill from the Legislative Council, intituled, "An Act to define and restore certain rights to parties therein mentioned," was read the first time.

Railways general
Clauses
Bill.

*The Order of the day for the House in Committee on the Bill to consolidate and regulate the General Clauses relating to Railways, being read;*¹

The first order of the day was, that the House go into Committee on the government Bill to consolidate general railway clause[s]².

It was objected by MR. J. SCOTT, of Bytown, that it had been irregularly placed there; that a standing order required the Bill to be printed in French and English before the second reading, and that this rule had not been complied with.³

MR. INSP. GEN. HINCKS said that the bill had been placed in its present position by an order of the House, yesterday, and that the non-translation in French was a piece of negligence on the part of subordinate officers, which could not be allowed to obstruct public business.⁴

MR. H. SHERWOOD said, the time for objections to non-translation was before the second reading, and, having been waived then, it was invalid now. The fact that the bill stood first, was in consequence of a specific order, which was above all rules.⁵

MR. RICHARDS disputed this, contending that rules were paramount to mere votes of the House.⁶

MR. AT. GEN. BALDWIN was understood to take the same view.⁷

MR. MORIN the SPEAKER decided that the objection, so far as the standing order was concerned, might be surmounted by the adoption dispensing with the rule in this case.⁸

MR. J. SCOTT (Bytown) said, if this were done all rules might be regarded as useless. A majority would be able at any time to set at nought the rights of the minority. He adhered to his objection on this occasion, more particularly because of the circumstance of which he complained had occurred frequently during the session. An undue preference had been given to bills of members on his (the ministerial) side.⁹

MR. INSP. GEN. HINCKS said, this imputation was unjust, and he had appealed to the House whether he and his colleagues had not, during the whole session, done their utmost to facilitate the business of the country, irrespective of party or personal considerations. (Loud cries of "Hear" from the opposition.)¹⁰

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The Honorable Mr. Sherwood moved, seconded by the Honorable Mr. Macdonald, and the Question being put, That this House do now proceed to the consideration of the said Order, which was ordered to stand first for to-day; and that any Rule of this House to the contrary thereof be suspended;

MR. MACKENZIE, MR. J. CAMERON, and MR. AT. GEN. BALDWIN deprecated the motion which involved the dispensing with a standing rule of the House. The inconvenience which might be occasioned by the delay of the bill for a day or two (they said) was of less importance than adherence to established rules.¹¹

MR. H. BOULTON followed on the same side, and referred to several standing orders of the House in support of this position. If these orders were not paramount, of what use are they?¹²

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the House divided: and the names being called for, they were taken down, as follow:--

Yeas.

Messieurs Badgley, Bell, Bouthillier, Cartier, Cayley, Chabot, Chauveau, Dickson, Solicitor General Drummond, Duchesnay, Fortier, Fourquin, Guay, Guillet, Hincks,

Jobin, LaTerrière, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, McConnell, McFarland, McLean, Méthot, Meyers, Mongenais, Morrison, Prince, Sauvageau, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Smith of FRONTENAC.--(33.)

NAYS.

Messieurs Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cameron of CORNWALL, Fournier, Hall, Holmes, Hopkins, Johnson, Lyon, Mackenzie, Malloch, Merritt, Notman, Richards, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Stevenson, and Taché.--(21.)

So it was resolved in the Affirmative.

The House accordingly resolved itself into the said Committee.

Mr. Sauvageau took the Chair of the Committee;

The House accordingly went into Committee on the bill, and passed through its clauses, which were reported and the House concurred.¹³

(246)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sauvageau reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Montreal, Kingston and Toronto Railroad Bills.

The Order of the day for the House in Committee on the Bill to incorporate the Montreal and Kingston Railway Company, and on the Bill to incorporate the Kingston and Toronto Junction Railroad Company, being read;

The House accordingly resolved itself into the said Committee.

Mr. Boulton of Toronto took the Chair of the Committee;¹⁴

The clause relative to the purchase of the Lachine Railway Company [came up]¹⁵.

MR. J. SCOTT objected that it seemed to make the Company bound to purchase the Lachine Railroad Company.¹⁶

MR. CARTIER said that was not so; it was merely intended in case the Lachine Company agreed to sell, and the Kingston Company to buy, to fix a mode of determining the price.¹⁷

MR. INSP. GEN. HINCKS thought if the sale was to be entirely voluntary, an arbitration clause was entirely out of place. That could only be necessary where there was a compulsory sale.¹⁸

MR. CARTIER then agreed to expunge the clause.¹⁹

The remaining clauses of the bill were agreed to and the Committee rose and reported.²⁰

(246)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had gone through the Bill to incorporate the Montreal and Kingston Railway Company, and made an amendment thereunto.

Ordered, That the Report be received to-morrow.

Mr. Boulton of Toronto also reported, That the Committee had gone through to Bill to incorporate the Kingston and Toronto Junction Railroad Company, and directed him to report the same, without any amendment.

Ordered, That the Report be received to-morrow.

School Acts
(L.C.) Amend-
ment Bill.

The Order of the day for the second reading of the
Bill to amend and explain the School Acts in force in
Lower Canada, being read;

Ordered, That the Bill be read a second time on Monday next.

Bill relating to
Sessions of the
Peace.

The Order of the day for the second reading of the
Bill to define the jurisdiction of Justices in General and
Quarter Sessions of the Peace, being read;

The Bill was accordingly read a second time; and
committed to a Committee of the whole House, for to-morrow.

Bill relating to
Mechanics and
others.

The Order of the day for the second reading of the
Bill for the better security of Mechanics and others
erecting buildings and furnishing materials therefor, in
the several Cities and Towns in this Province, being read;

Mr. Boulton of Toronto moved, seconded by Mr. Morrison, and the Question being
proposed, That the Bill be now read a second time;²¹

MR. H. BOULTON moved the second reading of the bill for the better security of
Mechanics, &c., in Upper Canada. He explained that the object of the bill was to
give mechanics a lien on buildings to be erected for the security of their wages.
The bill was copied from the lien law of the state of New York. In Lower Canada
mechanics had even better security; the bill was needed in Upper Canada.²²

MR. G. SHERWOOD opposed the bill, arguing it would be productive of great
inconvenience.²³

MR. NOTMAN thought the bill uncalled for and unnecessary, and moved the second
reading this day three months.²⁴

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Mr. Notman moved in amendment to the Question, seconded by Mr. Richards, That
the word "now" be left out, and the words "this day three months" added at the end
thereof;

MR. H. SHERWOOD said the matter was important, and petitioned for by 1500 or
1600 respectable artizans. The bill would not be so inconvenient as urged; and
they had the law in the United States. He thought the bill should be read a
second time, and referred to a select Committee.²⁵

MR. J. CAMERON took the same view; and did not think the bill so crude as some
gentlemen seemed to imagine. The artizans and mechanics should have all possible
protection at the hands of the legislature; and their request should not be so
summarily disposed of as the very liberal member for Middlesex (Mr. Notman) would
wish by the three months hoist, as it was termed. After some remarks on the prin-
ciple of the bill, he expressed his belief that with some amendments it would pro-
duce a very salutary effect.²⁶

MR. H. BOULTON opposed the bill contending it would be an unnecessary and
mischievous interference between employers and those employed. It would be pro-
ductive of numerous law-suits.²⁷

MR. BADGLEY stated that a similar law did exist in Lower Canada; and also in
old France.--Before that, the same principle was found in the Roman Law, so there
was no novelty in it. The law in Lower Canada with respect to builders had been
found to be advantageous, and he should be glad to see a similar principle intro-
duced in Upper Canada. He objected to some of the details of the bill.²⁸

MR. CARTIER considered the principle good, but deemed it unnecessary that it

should extend to Lower Canada; and, he thought it would in its present shape.²⁹

MR. W. BOULTON replied.³⁰

MR. RICHARDS opposed the bill on the ground that it would be very inconvenient in the country. He believed the bill to be uncalled for, but he could not so much object to it if its operation was confined to towns.³¹

(247)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bell, Boulton of NORFOLK, Davignon, Flint, Fourquin, Guillet, Hall, Hincks, Hopkins, Johnson, Lyon, Solicitor General Macdonald, Malloch, McFarland, Merritt, Meyers, Notman, Richards, Scott of BYTOWN, Seymour, Smith of WENTWORTH, Stevenson, and Viger.--(24.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Dickson, Duchesnay, Fournier, Holmes, Jobin, Letellier, Macdonald of KINGSTON, Mackenzie, McConnell, McLean, Méthot, Morrison, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Taché.--(27.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Dickson, Duchesnay, Fournier, Holmes, Jobin, Letellier, Macdonald of KINGSTON, Mackenzie, McConnell, McLean, Méthot, Morrison, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Taché.--(27.)

NAYS.

Messieurs Baldwin, Bell, Boulton of NORFOLK, Davignon, Flint, Fourquin, Guillet, Hall, Hincks, Hopkins, Johnson, Lyon, Solicitor General Macdonald, Malloch, McFarland, Merritt, Meyers, Notman, Richards, Scott of BYTOWN, Seymour, Smith of WENTWORTH, Stevenson, and Viger.--(24.)

So it was resolved in the Affirmative.

MR. INSP. GEN. HINCKS said jocosely, that he hoped the hon. member for Toronto would put a notice in his memorandum book that he had carried his bill by a majority of Lower Canada votes.³²

MR. H. SHERWOOD added, and also the vote of £10,000 last night for a residence of the Governor General in Toronto, was carried by a majority of Lower Canada members. Upper Canada was indebted to them for that vote, and not to its own members (Laughter.)³³

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The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Boulton of Toronto, the Honorable Mr. Cameron of Cornwall, Mr. Sherwood of Brockville, the Honorable Mr. Badgley, and the Honorable Mr. Macdonald, to report thereon with all convenient speed.

Mr. Cartier moved, seconded by Mr. Cauchon, and the Question being put, That it be an Instruction to the said Committee to restrict the effect of the said Bill to Upper Canada;

MR. INSP. GEN. HINCKS, amid loud laughter, said the gentleman was very kind to

vote for a bill for Upper Canada, which the members from that section did not want, and then object to its being applied to Lower Canada.³⁴

MR. J. CAMERON said, the hon. Inspector General must have just awaked from sleep, or he would have learned that they had in Lower Canada a similar law. (Laughter).³⁵

A bantering conversation ensued in which MR. CARTIER said he wished the bill to be confined to Upper Canada, because they had a better law in Lower Canada. (Loud laughter.)³⁶

(247)

the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Christie, Davignon, Duchesnay, Fournier, Fourquin, Holmes, Jobin, Letellier, Macdonald of KINGSTON, McConnell, Méthot, Mongenaïs, Morrison, Polette, Sanborn, Sauvageau, Sherwood of TORONTO, and Taché.--(26.)

NAYS.

Messieurs Baldwin, Bell, Boulton of NORFOLK, Burritt, Fergusson, Flint, Guillet, Hall, Hincks, Hopkins, Johnson, Lyon, Solicitor General Macdonald, Mackenzie, Malloch, McLean, Merritt, Meyers, Notman, Prince, Richards, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, Smith of WENTWORTH, Stevenson, and Viger.--(29.)

So it passed in the Negative.

Mr. Notman moved, seconded by Mr. Hall, and the Question being put, That it be an Instruction to the said Committee to restrict the operation of the said Bill to Lower Canada;

MR. NOTMAN amid increased laughter, moved an instruction to the Committee to confine its operations to Lower Canada.³⁷

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bell, Boulton of NORFOLK, Burritt, Christie, Davignon, Dickson, Fergusson, Flint, Hall, Hincks, Hopkins, Johnson, Lyon, Solicitor General Macdonald, Malloch, McLean, Meyers, Notman, Prince, Richards, Scott of BYTOWN, Sherwood of BROCKVILLE, Smith of DURHAM, and Smith of WENTWORTH.-(25.)

NAYS.

Messieurs Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Duchesnay, Fournier, Fourquin, Guillet, Holmes, Jobin, Letellier, Mackenzie, McConnell, Merritt, Méthot, Mongenaïs, Morrison, Polette, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Sherwood of TORONTO, Stevenson, and Taché.--(28.)

So it passed in the Negative.

Acceptance of
Office Restriction
Bill.

The Order of the day for the second reading of the Bill to restrict the Acceptance of Office in certain cases, being read;

Mr. Mackenzie moved, seconded by the Honorable Mr. Boulton, and the Question being put, That the Bill be now read a second time;

MR. MACKENZIE³⁸ moved the second reading of the bill to restrict the acceptance of office in certain cases. He explained that he wanted to prevent members of Parliament from accepting office, until after the first session of a succeeding parliament. He went over several appointments of Messrs. Blake, Sullivan, Draper, Smith and Aylwin, characterising all of them as jobs. He dwelt more particularly

on the appointments of Messrs. Blake and Aylwin, saying that the latter might have been heard to bellow out patriotism in such manner as to have enabled persons to hear him a long distance off. But that was for the public. In private he could plan jobs to "chisel" places for all his friends; and last of all, by the grossest job of all, "chisel" himself into a judgeship--and be looked upon as a respectable judge. He wished to prevent the recurrence of such disgraceful practices.³⁹

(247)

the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, Letellier, Mackenzie, McConnell, McFarland, Notman, Sanborn, and Smith of DURHAM.--(10.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of Cornwall, Cartier, Cauchon, Chauveau, Dickson, Dumas, Fergusson, Flint, Fortier, Fourquin, Gagy, Hincks, Holmes, Jobin, LaTerrière, Solicitor General Macdonald, Malloch, McLean, Merritt, Méthot, Mongenais, Morrison, Polette, Richards, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, Taché, and Viger.--(40.)

So it passed in the Negative.

Bill relating to
the Seignioriness of
Chateauguay.

The Order of the day for the second reading of the Bill to detach the Seignioriness of Chateauguay from the Judicial Circuit of Montreal, and to annex it to that of Beauharnois, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Courts of Original
Civil Jurisdiction
Bill (L.C.).

The Order of the day for the second reading of the Bill to explain and amend the Act of the twelfth year of Her Majesty's Reign, relative to the Courts of Original Civil Jurisdiction in Lower Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Gagy, Mr. Solicitor General Drummond, the Honorable Mr. Chabot, the Honorable Mr. Badgley, and Mr. Cartier, to report thereon with all convenient speed.

Bill relating to
Newspapers &c.

The Order of the day for the second reading of the Bill for preventing mischiefs arising from the printing and publishing of Newspapers, Pamphlets, and Papers of like nature, by persons not known in Upper Canada, being read;

Mr. Gagy moved, seconded by the Honorable Mr. LaTerrière, and the Question being proposed, That the Bill be now read a second time;⁴⁰

COL. GUGY moved the first reading of the bill to prevent mischief arising from the printing of newspapers, &c., by persons not known in U. Canada.⁴¹

COL. PRINCE had listened attentively to his gallant friend, but could not think there was any necessity for a law like this. He smarted like his friend, occasionally, from the attacks of the press; but he had the skin of a rhinoceros and possessed principles above their attacks. He respected the independence of the press, though he sometimes blamed its licentiousness. However, there was no difficulty, if a man were libelled, in obtaining the name of the author; nor was there any newspaper publisher in the province, who would refuse to name his author, or assume the responsibility himself. The press, it was true, was a clumsy press: the reporters were terrible reporters: so much so, that in reading his speeches, he sometimes doubted whether he had been in the House at all. However, poor fellows, they were only in their infancy; and worse than all, they were not paid. He would never be in Parliament again; but next session he would certainly send a petition to Parliament,

to try to warm the hearts of members to pay the press liberally for good reports.⁴²

MR. MACKENZIE, as the oldest newspaper editor in the Province, had never once refused to acknowledge what he wrote; nor did he know any other who had done so.⁴³

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The Honorable Mr. Boulton moved in amendment to the Question, seconded by the Honorable Mr. Robinson, That the word "now" be left out, and the words "this day three months" added at the end thereof;

MR. H. BOULTON said the quickest way to get rid of this bill was to move it be read again that day six months.⁴⁴

After a reply from COL. GUGY.⁴⁵--

MR. ROBINSON said, as the seconder of the motion in amendment, that he was not open to the charge of want of chivalry. The hon. member complained that he was placed in a different position in Upper Canada from what members were in Lower Canada. For his part he would have no objection to be placed in Lower Canada on the same footing as in Upper Canada, and if any body would move to change the law, he would second it.⁴⁶

COL. PRINCE also said a few words in reply, saying that he sought the popularity which followed a man, not that which was run after. Could the hon. member say as much?⁴⁷

(248)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cameron of CORNWALL, Davignon, Dickson, Duchesnay, Fergusson, Flint, Fourquin, Hall, Holmes, Hopkins, Johnson, LaTerrière, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McFarland, McLean, Merritt, Méthot, Meyers, Morrison, Notman, Polette, Prince, Richards, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, Stevenson, and Taché.--(47.)

NAY.

Mr. Gagy.--(1.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day three months.

*Andrews' Road
Vesting Bill.*

The Order of the day for the House in Committee on the Bill to vest a certain Road allowance in the Township of Hope, in the County of Durham, in James M. Andrews and

others, being read;

The House accordingly resolved itself into the said Committee.

Mr. McConnell took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. McConnell reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. McConnell reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Chancery Decrees
and Orders Bill
(U.C.).

The Order of the day for the House in Committee on the Bill to confirm Decrees and Orders, and other proceedings of the Court of Chancery of Upper Canada in certain cases, being read;

Ordered, That the said Order of the day be postponed until to-morrow.

Orders of
the Day.

Mr. Malloch moved, seconded by Mr. Richards, and the Question being put, That the remaining Orders of the day be postponed until to-morrow; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Boulton of NORFOLK, Macdonald of KINGSTON, Mackenzie, Malloch, McFarland, Meyers, Notman, Prince, Richards, Seymour, Sherwood of TORONTO, and Smith of DURHAM.--(15.)

NAYS.

Messieurs Boulton of TORONTO, Burritt, Davignon, Dickson, Duchesnay, Dumas, Fergusson, Flint, Fournier, Fourquin, Hall, Holmes, Hopkins, Johnson, Letellier, Lyon, Solicitor General Macdonald, McConnell, Merritt, Méthot, Polette, Robinson, Sanborn, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of WENTWORTH, and Stevenson.--(28.)

So it passed in the Negative.

Witnesses At-
tendance Bill.

The Order of the day for the House in Committee on the Bill to authorize and enforce the attendance of Witnesses in civil cases from any part of this Province before the Courts of Superior Jurisdiction, being read;

The House accordingly resolved itself into the said Committee.

Mr. Johnson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Johnson reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be received to-morrow.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Lyon, seconded by Mr. Richards,
The House adjourned.

[CONVERSATION RE: OPENING OF MR. MACKENZIE'S LETTERS.]⁴⁸

MR. MACKENZIE said he felt it due to himself and to the House to state, that on arriving at his desk, a few minutes ago, he found a letter which had evidently been opened a short time before. It was from Montreal, and bore the post-mark of that city; the Toronto post-mark was of a corresponding date; but the water was so wet that the letter must have been opened within a very short time. He had showed it to gentlemen around him at the moment, all of whom could bear testimony to the fact that the wafer appeared to have been very recently inserted. This occurrence had happened before to letters and documents of his, and he thought that the circumstance should be noticed. The other day the reporter of the Albany Evening Journal told him that he had sent to him 15 or 20 documents from Albany, which were duly posted there; but none had reached him. Similar documents had been sent from Albany to the member for the West Riding of York, who had duly received them. He (Mr. McK) wrote to the postmaster at Lewiston, who replied that he remembered such documents passing through that post office; but on sending to the Toronto Post Office, no information could be obtained concerning them.⁴⁹

MR. COM. CR. LANDS PRICE said it frequently happened that letters were sent to gentlemen by mistake, and opened by mistake. He received a large number daily, and as he opened them without looking at the addresses, it often occurred that letters came into his hands which did not belong to him in his private or public capacity. In such cases, he re-sealed them, and sent them to their rightful owners. It might be that a similar mishap had befallen the letter of the hon. member for Haldimand. It might have been sent in the first instance to another Mr. Mackenzie who had wafered it afresh.⁵⁰

MR. MACKENZIE--Nothing of the sort.⁵¹

MR. COM. CR. LANDS PRICE said such a thing was an everyday occurrence.⁵²

MR. AT. GEN. LAFONTAINE (who was very imperfectly heard) said that under the former management of the Post Office, great cause of complaint existed, more particularly in reference to the detention of letters and papers, even after they had been called for. Persons called again and again, and were told that nothing was there for them, although it afterwards appeared that this was a mistake. Such a state of things was discreditable and inconvenient, and he hoped that they would not occur under the present management. With regard to the opening of letters, as in the case of the hon. member for Haldimand, he (Mr. L.) felt that if it were done intentionally, it amounted to a crime and should be punished.⁵³

After remarks by other members, the subject dropped.⁵⁴

FOOTNOTES: 7 AUGUST 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 8 August 1851, GLOBE, 9 August 1851, MONTREAL GAZETTE, 13 August 1851, PILOT, 14 August 1851, and NORTH AMERICAN, 15 August 1851.
2. BRITISH COLONIST, 8 August 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 8 August 1851, GLOBE, 9 August 1851, MONTREAL GAZETTE, 13 August 1851, NORTH AMERICAN, 15 August 1851, and LA MINERVE, 12 August 1851.
15. BRITISH COLONIST, 8 August 1851.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 8 August 1851, GLOBE, 9 August 1851, MONTREAL GAZETTE, 13 August 1851, HAMILTON SPECTATOR, 13 August 1851, which copied from BRITISH COLONIST, EXAMINER, 13 August 1851, PILOT, 14 August 1851, and NORTH AMERICAN, 15 August 1851.
22. BRITISH COLONIST, 8 August 1851.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 8 August 1851, GLOBE, 9 August 1851, MONTREAL GAZETTE, 13 August 1851, HAMILTON SPECTATOR, 13 August 1851, which copied from BRITISH COLONIST, EXAMINER, 13 August 1851, PILOT, 14 August 1851, and NORTH AMERICAN, 15 August 1851.
39. BRITISH COLONIST, 8 August 1851.
40. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 8 August 1851, GLOBE, 9 August 1851, MONTREAL GAZETTE, 13 August 1851, HAMILTON SPECTATOR, 13 August 1851, which copied from BRITISH COLONIST, EXAMINER, 13 August 1851, NORTH AMERICAN, 15 August 1851, and

LA MINERVE, 12 August 1851.

41. BRITISH COLONIST, 8 August 1851.

42. IBID.

43. IBID.

44. IBID.

45. IBID.

46. IBID.

47. IBID.

48. The following papers reported this conversation in partially identical accounts: BRITISH COLONIST, 8 August 1851, GLOBE, 9 August 1851, MONTREAL GAZETTE, 13 August 1851, EXAMINER, 13 August 1851, and PILOT, 14 August 1851. LA MINERVE, 9 August 1851, noted the conversation.

49. BRITISH COLONIST, 8 August 1851.

50. IBID.

51. IBID.

52. IBID.

53. IBID.

54. IBID.

FRIDAY, 8 AUGUST 1851.

(248)

Petition
brought up.

THE following Petition was brought up, and laid on the table:--

By Mr. Boulton of Toronto,--The Petition of Robert Beard and others, members of the Fire Brigade, and others, of the City of Toronto.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read:--

Of Alexander Gorrie, Secretary-Treasurer of the Municipal Council of the County of Terrebonne, on behalf of the said Municipal Council; praying that Ste. Thérèse de Blainville may remain the place of meeting of the said Council,--that the Registry Office for the County be removed to Ste. Thérèse,--that Parish Councils be re-established in place of County Councils,--that the Sleigh Laws be abolished, and a Bill passed ordering the use of Snow-Ploughs.

Of Messieurs Allan Gilmour and Company, and others, engaged in the Shipping interest and trade of Quebec; praying that the Bill to incorporate the Pilots for and below the Harbour of Quebec may not pass into Law.

Of John Eastwood and others; praying for the passing of the Bill to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance in Canada West.

Petition of
D. Paterson and
S.F. Urquhart.

Mr. Boulton of Toronto moved, seconded by Mr. Seymour, and the Question being put, That the Petition of D. Paterson and S.F. Urquhart, Merchants, of the City of Toronto, complaining of the conduct of the Collector of Customs at the Port of Toronto, in the transactions of his office, and of his general inability, and praying for an investigation in the premises, be referred to a Special Committee of five Members;¹

MR. W. BOULTON ... in support of the motion, detailed various grounds of complaint as they were drawn up some time ago in the proceedings of the Board of Trade of this city. He wound up by declaring that the conduct of Mr. Mendell was prejudicial to the trade of the port; insulting to the mercantile community; and demanding² immediate ... rigid³ [and] rigorous examination.⁴

MR. INSP. GEN. HINCKS could scarcely think that the hon. member seriously believed that there was any probability of inducing the House to place credence in the allegations which he had advanced.⁵ Mr. Mendell⁶, the gentleman complained against, was a most deserving officer, who had been a great number of years in the service of the government; and the petitioners were gentlemen who⁷ were probably actuated by some difficulties which they had had with the Customs Department.⁸ Some months since, the Board of Trade took up this matter, but they got into a false position and were glad to get out of it. That body took up some particular instances, which happened afterwards to be brought before the judicial tribunals of the country, where the correctness of the Collector's conduct was fully established. --Collectors of Customs were bound to carry out the law, and if in the performance of that duty, injustice be done, or hardship experienced, they had no power to grant relief; the government alone could do that. It often happened that this hardship or injustice was the result of ignorance on the part of persons having business to transact with the department. This was the case with Mr. O'Neil, of whose transaction he had a perfect recollection.--Mr. O'Neil represented the matter as though Mr. Mendell acted illegally, and that the department interfered against him. This was entirely wrong. Mr. O'Neil himself acted in ignorance of the law: and although the Collector was right, yet a mode was suggested by himself (Mr. Hincks) by which Mr. O'Neil was relieved from the consequences of his own ignorance.

Whatever fault there was in the case on Mr. O'Neil's part the Collector's conduct was altogether right. Other cases which had been alluded to, and which had come before him (Mr. H.) were of a similar character. He regretted, therefore, to find that although the Board of Trade had abandoned the affair, the two petitioners persisted in this course, apparently because they were personally hostile to the Collector, and endeavored to injure him as much as possible. He had had occasion to investigate all these cases, and he had no hesitation in stating his belief that the Collector of the port was a man who discharged the duties of his office conscientiously, and to the best of his ability; and under these circumstances he (Mr. H.) felt bound to support him against the attacks to which he was exposed. It was the duty of a collector to carry out the law. It was not for him to exercise discretion or to afford relief because the circumstances might appear to bear hardly against an individual; but to act according to law, and to make his report to the department, with whom the responsibility finally rested.⁹

MR. J. CAMERON said he had had occasion to become acquainted with some of the cases to which allusion had been made, and in all of them it was found that the Collector had acted correctly. There was no reason to throw the slightest imputation on him; on the contrary, there was every reason to believe that he had acted in a manner perfectly consistent with his duty. He (Mr. C.) had had some trifling transactions at the Custom House, and had uniformly been treated with the greatest courtesy by Mr. Mendell, and in a way which certainly did not reflect discredit on him. It was not fair to bring up individual cases, with the view of throwing a slight on the character of that office, when in point of fact, no reason existed for the attacks upon him.¹⁰

MR. AT. GEN. BALDWIN was pleased to hear the remarks of his hon. and learned friend the member for Cornwall, because he had had opportunities of knowing the merits of some of the cases which were at issue. He (Mr. B.) had also had occasion to look into the conduct of Mr. Mendell in reference to the same cases, and the result of the investigation was a conviction in his mind that Mr. Mendell was an excellent officer, and that there was no reasonable ground to attribute to him anything like a violation of public duty.¹¹

MR. H. SHERWOOD said that whatever might be the nature of the complaints against Mr. Mendell, in reference to want of courtesy, they should have been addressed to the government, not to this house.--The matter was too trivial to be debated here. So far as his own intercourse with Mr. Mendell had gone, he had every cause to speak highly of his politeness¹², his kindness¹³ and attention.¹⁴

MR. RICHARDS believed that Mr. Mendell was a highly efficient servant, and that the allegations put forward by the petitioners were in no degree sanctioned by the mercantile community generally.¹⁵

MR. W. BOULTON said after these expressions of opinion, he would withdraw his motion.¹⁶

MR. INSP. GEN. HINCKS said that he would repeat that in every case where an enquiry had been made into Mr. Mendell's conduct in reference to points of law, it had been found that he was correct. The imputations against his courtesy were of such a vague description that the government could take no cognizance of them; and therefore he (Mr. H.) was glad that hon. gentlemen opposite had come forward to bear testimony to Mr. Mendell's politeness and attention. A number of merchants had already done the same.¹⁷

COL. PRINCE was unwilling to allow the motion to be withdrawn. There could be no doubt that Mr. Mendell had been unjustly attacked, and after what had fallen from members on both sides, it was due to him that this motion should not be with-

drawn, but that the House should mark its sense of the impropriety of dragging a public officer before it. He (Mr. P.) had had occasion to go to the Custom house two or three times during the present session, and, trifling as his engagements there were, he must say that he never saw so obliging a public officer as Mr. Mendell, or those who act under him. Every sort of respect was shown, not only to him (Mr. P.) but to all who were assembled in front of the desk. He saw despatch, civility, kindness, and business habits; and it was therefore most unjust to drag Mr. Mendell here, like a school boy, and to lecture him, as he had been lectured, merely because in a moment of irritation he had, peradventure, made use of a quick expression. Let these matters rest in the hands of the Government. If a serious charge be brought against a public officer, and the Government would not entertain it, and the public interest suffer, then was the proper time to appeal to Parliament--and not till then. It was highly improper to try to make this House a little board of censors on subordinate public officers.¹⁸

The House refused leave to withdraw the motion, which was put and negatived without a division.¹⁹

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the House divided:--And it passed in the Negative.

Savings Banks
Act Continua-
tion Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to continue for a limited time, an Act, intituled, 'An Act to encourage the establishment of and regulate Savings Banks in this Province,'" was, according to Order, read the

third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same without any Amendment.

Belleville Hos-
pital Reserve
Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to allow a grant of the Hospital Reserve, Belleville, to the Town Council," was, according to Order, read the third time.

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Resolved, That the Bill do pass.

Ordered, That Mr. Flint do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same without any Amendment.

Census Bill.

An engrossed Bill to provide more effectually for taking the periodical Census of the Province, was, according to Order, read the third time.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Cameron of CORNWALL, Chabot, Christie, Dickson, Duchesnay, Fergusson, Fournier, Fourquin, Guillet, Hincks, Holmes, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, McFarland, Méthot, Meyers, Mongenais, Morrison, Notman, Price, Richards, Sauvageau, Scott of BYTOWN, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, Taché, and Viger.--(37.)

NAYS.

Messieurs Boulton of NORFOLK, Hall, Hopkins, Mackenzie, Merritt, Sherwood of TORONTO, and Smith of DURHAM.--(7.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to the Seignioriness of Chateauguay. An engrossed Bill to detach the Seignioriness of Chateauguay from the Judicial Circuit of Montreal, and to annex it to that of Beauharnois, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sauvageau do carry the Bill to the Legislative Council, and desire their concurrence.

Andrews Road Vesting Bill. An engrossed Bill to vest a certain Road allowance in the Township of Hope, in the County of Durham, in James M. Andrews and others, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to vest a certain Road allowance in the Township of Hope, in the County of Durham, in James Madison Andrews and others."

Ordered, That Mr. Smith of Durham do carry the Bill to the Legislative Council, and desire their concurrence.

Jurors Act (U.C.) Amendment Bill. An engrossed Bill to amend the Upper Canada Jurors Act of 1850, and to make some further provisions for the better accomplishment of the object thereof, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Baldwin do carry the Bill to the Legislative Council, and desire their concurrence.

Message from the Council. A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Library. Mr. Speaker,
The Legislative Council acquaint this House, That they have appointed the Honorable Mr. Fergusson in the place of the Honorable Mr. de Blaquière, to act on the part of their House upon the Joint Committee on the Library: And also,

The Legislative Council have adopted the following Resolution:--

General Index to Journals of the Legislative Council. Resolved, That it be an Instruction to the Joint Committee of both Houses for the regulation and management of the Library, to enquire into the expediency of causing to be prepared a General Index to the Journals of the Legislative Council from the time of the Union to the present Session, inclusive, together with the probable cost attending the same.

And then he withdrew.

Fifteenth Report of Committee on Private Bills. The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Fifteenth Report of the said Committee; which was read, as follows:--

Your Committee have examined the engrossed Bill from the Legislative Council, intituled, "An Act to afford relief to the Estate of the late Alexander Wood," and have agreed to report the same, without any amendment.

Wood's Estate
Relief Bill.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to afford relief to the Estate of the late Alexander Wood," be read the third time to-morrow.

Bill to amend
and consolidate
the Criminal
Laws.

The Honorable Mr. Badgley, from the Select Committee to which was referred the Bill to amend and consolidate the Criminal Laws of this Province, and also the Bill to establish a Code of Criminal Procedure in this Province, presented to the House the Report of the said Committee; which was read, as followeth:--

Your Committee have examined the enactments contained in these Bills, and recommend them to the favorable opinion of Your Honorable House.

By the consideration of the Imperial Government, the English system of Criminal Jurisprudence was bestowed upon Canada at an early period after the Conquest, and has continued to subsist in the Province during its division into separate sections, and since their re-union into a United Province. Modifications have been adopted by the sectional as well as the united Legislatures, of greater or less extent, according to the improvements gradually made in England in the Law itself and in its practice, thereby in effect assimilating as much as possible, and to an extent commensurate with the exigencies of the Province, a system of Jurisprudence derived from the Mother Country.

The body of this Law in this Province is composed of a vast collection of subsisting as well as obsolete but unrepealed statutory enactments, and of Judicial opinions frequently conflicting, requiring great and laborious research and study for their discovery and comprehension, even by its Professors, and to the same degree difficult to be known by the large class of official persons who are called upon to carry out its requirements, whilst it is utterly unknown to the great mass of the people who are subject to its penalties.

The Bills reported have been compiled with the view to a removal of these difficulties, and to the condensation into one uniform Code for United Canada, of Laws useful and necessary, and at the same time essential to the peace of society, and the security of person and property, communicated in plain and perspicuous language, and comprehended under a regular and systematic arrangement. By the former Bill, the various provisions of the Law in force in the Province have been collected, and by the latter, a simple and uniform practice has been established, comprising together a complete body of Canadian Criminal Jurisprudence.

Your Committee do not consider it necessary to advert to the admitted advantages of the assimilation of the Law, and its administration throughout United Canada, or of the perfecting of such a Code as much as possible in its details. With this view, Your Committee abstain from advising the present adoption of the

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Bills, however satisfactory their compilation and arrangement may be; and confine themselves to a recommendation for their revision by a Commission to be appointed by the Government, in the same manner as has been adopted for the revision of the Provincial Statutes, and if the Government should be so advised by the Commission when appointed.

On motion of the Honorable Mr. Cameron of Cornwall, seconded by the Honorable Mr. Macdonald,

Law of Evi-
dence Bill
(U.C.).

Ordered, That the House do now proceed to reconsider the fifth, sixth, and eighth Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend an Act passed

in the twelfth year of Her Majesty's Reign, intituled, 'An Act to improve the law of Evidence in Upper Canada,' with the view of rescinding the Votes negating the said Amendments, and of agreeing to the same.

The House proceeded accordingly to reconsider the said Amendments; and the same were read, as follow:--

Press 2, line 4. After "Will" leave out "and" and insert "or."

Press 2, line 10. After "probate" insert "or certificate."

Press 2, line 13. After "probate" insert "or certificate."

Resolved, That the Votes of this House of the first August, instant, negating the said Amendments, be rescinded.

The said Amendments, being then again read, were agreed to.

Ordered, That the Honorable Mr. Cameron of Cornwall do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

King's College
and Upper
Canada College.

Mr. Mackenzie moved, seconded by Mr. Smith of Durham, and the Question being put, That the Return relative to King's College, and Upper Canada College, which was presented on the thirty-first of July last, be printed in English only for the Journals, and also in octavo form as ordered by the House on the 2nd instant; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Dumas, Fergusson, Holmes, Hopkins, Johnson, Mackenzie, Merritt, Notman, Prince, and Smith of WENTWORTH.--(11.)

NAYS.

Messieurs Armstrong, Badgley, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Christie, Dickson, Solicitor General Drummond, Fortier, Fournier, Fourquin, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McConnell, McLean, Méthot, Meyers, Mongenais, Polette, Price, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Seymour, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Stevenson, and Taché.--(39.)

So it passed in the Negative.

Negotiation
of Loans.

Ordered, That the Return relative to the negotiation of future Loans since the Session of 1849, which was presented on Monday last, together with the 5th Section of the Act 12

Vic. cap. 5, for the management of the Public Debt, to which it alludes, be printed for the use of the Members of this House.

Hudson's Bay
Company.

The Honorable Mr. Price, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Supplementary Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 2nd June, 1851, for copies of all Titles, Leases, or Concessions made in favor of the Hudson's Bay Company, which are now in force, and of all Correspondence between the Government and the said Company since 1848.

Appendix (J.J.J.)

For the said Supplementary Return, see Appendix (J.J.J.)

Ordered, That the said Supplementary Return be printed for the use of the Members of this House.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,

Trunk Line
of Railroad
through the
Province.

Resolved, That this House do now resolve itself into a Committee, to consider a series of proposed Resolutions on the subject of the construction of a Trunk Line of Railroad through the Province, and the expediency of amending the Act for affording the guarantee of the Province to

Railroad Companies.

The House accordingly resolved itself into the said Committee.

*Mr. Boulton of Toronto took the Chair of the Committee;*²⁰

MR. INSP. GEN. HINCKS said he believed the subject of the resolutions which he was about to propose was the most important that could occupy the attention of the House. No subject could be more important to the Province than a good system of Railroads, and it was to this matter that he now called the attention of Hon. members. He believed that the experience of other countries warranted the consideration that the best method of constructing and managing railroads was by placing them under the control of the State.²¹ In Europe it had been found that those roads which were managed by the Government were the most conducive to the public weal²². In Belgium the railroads were entirely the property of the State, and their management was unquestionably the best with which he was acquainted, and he therefore proposed to apply this principle to this Province. It was of the utmost importance that Canada should be placed in a position to compete with her neighbors on the other side of the line in regard to the Western traffic and travel, and they could not hope to accomplish this without having a great trunk line from the western extremity of this Peninsula to the Atlantic. He saw no possibility of railways being constructed to anything like the extent required, if they were left wholly to private enterprise, sufficient as that generally was. So far private enterprise had been wholly usable to meet the public requirements in this respect; and although the government guarantee was available, there was still an evident inability or unwillingness on the part of private individuals to carry out undertakings which had been long before the public. Doubtless this circumstance was in a great measure attributable to the fact that money cannot be raised here at less than 7 per cent. The Province could not raise the necessary sum at less than six per cent;--and at this rate, he should hesitate to agree to the Province involving itself in any large undertaking. But there was reason to believe that in consequence of most liberal offers on the part of the Imperial Government, we should now be able to raise money in such forms, that there could be no just ground for hesitating to come forward, and assume the desirability of this great and most important work. The object was to connect Halifax with Detroit by the shortest line. To build such a line of course it would require a very large sum of money over and above anything that could be expected from actual subscribers for stock. This money could only be raised at a very large cost. In the United States there were hardly any roads that were built at a less rate of cost, for interest, than 7 or 8 per cent. To build the road from Detroit to Halifax would, he calculated, cost £4,000,000 and though some acts of incorporation had been granted for parts of the road during the present session, he thought they should not go into operation until it was ascertained exactly what could be done to obtain the money for carrying on the whole as one complete scheme under the Government. The distance from Hamilton to which place the line from Detroit was now being constructed, to Montreal was 386 miles, and from the reports of the engineers there could be no doubt that the whole might be constructed for £5000 per mile. Mr. Keefer's estimate for that portion between Toronto and Kingston was £4500 per mile, and from Kingston to Montreal £5000 per mile. Taking the average at £5000 per mile,--a very safe estimate,--the whole would amount to £1,900,000. He did not desire to go too low, and therefore called the estimate from Melbourne to Quebec £6000, for ninety-

five miles, £575,000, to which must be added one-third of the line between Quebec and Halifax. That would be ninety-five miles, which he estimated at £7000, making the whole £3,338,000--or say in round numbers £4,000,000. He said the cost to the Province of the line between Quebec and Halifax would be one-third of the whole, because he expected to make an arrangement with the sister Provinces to build that portion of the road on joint account, so that each would pay one-third of the cost, and receive one-third of the revenues. This arrangement was sought for because that line in that portion which ran through Nova Scotia, would be common as well to the main trunk road, as to the European and North American road. This would of course give a peculiar advantage to that section, and it was to be shared by the other Provinces, which he thought a great concession on the part of Nova Scotia. He was aware that it was this section of the road between Quebec and Halifax which would meet with the least favor in the House and in the country, and he therefore drew particular attention to it.--He would, in the first place, remind the Committee that an Act of Parliament had been passed by which £25,000 per annum, and 10 miles of wild lands on each side of the line had been offered by the Province to the Imperial Government or to any persons they might employ to make the road. But he held that it was infinitely better to undertake the road at once than to give this £25,000 and 10 miles of land; nothing could establish this view more satisfactorily than the fact, that the moment difficulties were raised by New Brunswick to the proposals brought out by Mr. Howe, the agents of several private companies came forward and volunteered to carry forward the work upon those terms. A more injudicious step, however, he believed could not be taken than to allow this work to go into the hands of private companies; and accordingly when the delegates from Nova Scotia and New Brunswick were in town agreed they should not allow such a course to be taken. He was happy to say that the delegate from New Brunswick went home convinced of the importance of his government doing the rest in the undertaking. Indeed, so far as he could learn, there had been a great revolution of feeling within that province on the present subject. The enterprising people on the other side of the line, too, showed their appreciation of the same facts which influenced those persons within the colonies. They, it was true, affected to discourage the Quebec and Halifax road; yet they had advocated the Portland line as the nearest route to the Atlantic; but no sooner had got that than they determined to carry on the road to Halifax. Mr. Poor, in his report on the European railroad, said--"We want railways across the breadth of our own State, to bring all our people in easy communication with each other. More than all this, we want to open out a line of railway toward the nearest available point of this continent to Europe, in order to save expense in sending forth or in procuring our supplies from Europe. Instead of seeing all the trade between this country and Europe passing almost in sight of our own coast, and going down on the great sailing circle, some five hundred miles past us, to New York; and from thence re-shipped back to us--we want the trade across the Atlantic, and to travel across the Atlantic, reduced to its lowest cost, and to the shortest period of time²³--to bring the producer and consumer of both continents, in closer proximity." That was a clear admission that Halifax was the most important part of the East, and when he stated that it was enough to prove the advantage of reaching it by a British road. He would state, however, in addition, that it would be quite possible to carry passengers from Detroit to Halifax, by this line cheaper than they were now conveyed by sea from New York to Halifax, for which journey the present charge was²⁴ five guineas, we should be able to carry for about £5.²⁵

MR. J. SCOTT (Bytown) said the present charge was £6 5s.²⁶

MR. INSP. GEN. HINCKS--Then our charge would be about the same. The present charge was 3 guineas. This resolution was made at the ordinary rates of railway

charges. But he believed in the hands of government the railroad would be capable of doing the work at still lower rates. When a passenger going to Europe got to New York, he was still six hundred miles from Halifax--a distance which must be got over, and it need hardly be remarked, that wherever passengers were concerned, the trade would seek that point from whence there was the shortest voyage by the ocean. Again it would be found that the distance from Montreal, which he took as the common point for departure for the line by Quebec and the line by Portland, was very little more by way of the first city than by way of the other; so that the least saving in distance over Major Robinson's line, (which he had taken as his basis because it was the longest) would make that line the shortest. Having referred to the report of Major Robinson, he would remark, that it would be seen at once that it was not intended to make out a case very different from the reports of American Engineers, which always proved that every line would pay $7\frac{1}{2}$ or 8 per cent. Notwithstanding this exaggeration, he had no doubt the line from Portland to Halifax would pay; and this seemed to be the general opinion, inasmuch as the great cities were ready to go into the enterprise. But he did say, that the British colonies with one hundred and twenty-four miles of their trunk road passing along the same line as the European road, and connecting the whole with the great West, could not be a very bad undertaking. It was doubtless with this conviction that the Legislature had already committed itself to £55,000²⁷ [OR] £25,000²⁸ per annum. Now with regard to expense, it would be found that the cost of the Main Trunk Line at $3\frac{1}{2}$ per cent on £4,000,000 would come to £140,000 per annum, while if the Province were to build just that line, which if required, it would have to pay 6 per cent per annum and that would amount to £150,000 per annum.²⁹

MR. J. SCOTT--(Bytown)--How do Canada bonds stand just now?³⁰

MR. INSP. GEN. HINCKS--They were at a premium; but you could not now borrow another loan at par. If a million of bonds were put upon the market the bonds would be sunk below par. They were only above because the Government had been buying them up, and because the English capitalists saw little chance of their number being increased. Besides the £10,000 saving, which he had just shown, there was the previous grant of the Province of £156,000³¹ [OR] £257,000³² per annum; making together £35,000, and there was also the land on each side. He believed gentlemen did not estimate the value of the land very highly; but it must be remembered that there were lands immediately affected by the road to the extent of 8,600,000 acres. These lands at present were utterly worthless; but it would certainly not be a high estimate if it were said that the road once made they would become worth $\frac{3}{4}$ of a dollar an acre.³³

MR. H. BOULTON--Half a dollar.³⁴

MR. INSP. GEN. HINCKS--Well that would be enough to pay for the road.³⁵

MR. MERRITT--Hear, hear.³⁶

MR. INSP. GEN. HINCKS--Why the hon. member had himself valued them at three or four times as much and proposed to offer them to this British Government as security for loans.³⁷

MR. MERRITT never estimated them at all--he took the estimate of the Surveyor General in 1844.³⁸

MR. INSP. GEN. HINCKS--Had not the hon. member proposed to use them for securities of large sums of money?³⁹

MR. MERRITT--Certainly.⁴⁰ Here is my project.⁴¹

MR. INSP. GEN. HINCKS--Well if the bonds were worth nothing, it was not very statesmanlike to offer them to the British Government as security. At present he

(Mr. Hincks) did not think the lands were worth much; but they would become valuable if a railroad were run through them. He mentioned this as one inducement for the Province to go into the scheme--an inducement which other States such as Massachusetts, &c., could not have. But even without that the city of Portland has shown itself ready to go to the expense of a million and a-half though it contained only 25,000 inhabitants. Another inducement for the Provinces was the great increase in the value of all kinds of property which might be expected. He believed there was every reason to believe that steamers would be constructed, if the road were made, to convey emigrants across the Atlantic in six or seven days, and at the season of the year most proper for commencing any agricultural pursuits. He would not say with positive certainty, that it would be possible to get the aid of the Imperial Government for the whole line; but Mr. Hume had stated positively that £700,000, sterling would be granted, and as at the largest estimate no more than £8,250,000 currency. He anticipated some objections from the hon. member for Lincoln. He knew that hon. member was desirous, instead of burdening the consolidated revenue fund, to borrow money on security of the college and other lands; but every man who is acquainted with the state of the money market in England, would bear him out in saying that if he were to go into the English Market with such security no one would look at it. Why indeed should they? Suppose the Province wants money, if the securities are good, why should she object to endorse the debt herself? If, however, the House would place faith in this system of Railroads--that the province must succeed as other countries have succeeded--in that case he was convinced the increase in the value of property would be so great that if there were some change on the consolidation fund, the deficiency should be cheerfully made up. The resolutions provided for the case of not getting the whole of the money in Great Britain, and he thought it would be the interest and duty of the House to join in carrying out the scheme.⁴²

MR. H. BOULTON was of opinion that it was extremely unwise that the Province should undertake the construction of these public works, for it could not be denied that works of this description, constructed by the Government of this country, have been uniformly constructed at a great increase of price, to what the same works would have been if constructed by private enterprise. The Welland Canal may be taken as an example. The whole of the roads in the Province have been far better constructed by private companies than by the Government, and at much less expense. A second objection was, that you thereby create a monopoly of that road. It is true that it will be in the power of the Government to regulate the toll, and to place it at the lowest possible rate in order to increase the trade along the line; but should it turn out that the anticipations of the Government are not realized, they will feel bound to put the toll at the highest possible rate, to increase the revenue. A third objection is that if we construct this Railroad all along the borders of our lakes and rivers, nothing can be more clear than that we will render useless and nugatory our canals and water communications, constructed at a great expense. The Lachine Canal and all the canals below, will participate, to a certain extent, in a loss, in consequence of this monopoly. Of course it is a great object to gain the Western trade, and two or three points of the speech of the hon. Inspector General had impressed his (Mr. B.'s) mind. He was not under the impression that the Quebec and Halifax line of Railroad would be anything like so short as that by Portland to Halifax. If that statement is correct--and he did not doubt it--that would remove a considerable amount of objection to the Halifax road; because it is clear that the great amount of traffic will go by the shortest line of road, whatever line it is. He did not, however, take it as a fair criterion as to the rate from New York to Halifax. It was quite a fallacy to reckon that the rate of traffic for passengers would be as cheap between Detroit and Halifax, as between New York and Halifax, because the one passed through a pop-

ulous district, whereas the other district was thinly peopled. He had not made up his mind whether he would vote for or against the measure. He considered that they were the best friends of the country who prudently weighed so important a measure before deciding either way. The hon. Inspector General had said that he would get the money at $3\frac{1}{2}$ or $4\frac{1}{2}$ per cent.⁴³ [He] had not stated that he was sure of getting the requisite money for the whole road at $3\frac{1}{2}$ per cent. He had only said the money could be got at $3\frac{1}{2}$ or $4\frac{1}{2}$ per cent. There was great difference between them.⁴⁴

In reply to the hon. Mr. Boulton, MR. INSP. GEN. HINCKS said that the $4\frac{1}{2}$ was what he thought would be the average rate if the whole were not got in England at $3\frac{1}{2}$ per cent, and part had to be borrowed at a higher rate.⁴⁵

MR. H. BOULTON continued.⁴⁶ If we got the money at $3\frac{1}{2}$ per cent, it would be a great advantage, as we would be enabled to make the entire line at a less cost than if we were to make the shorter line upon our own credit. Before, however, embarking in so extensive a speculation we ought to have the positive guarantee of the British Government that they will advance the money at the rate specified. He should like to see it explained why, if private companies will undertake the construction of these roads with the guarantee of the Provincial government, the home government will not lend the money at $3\frac{1}{2}$ per cent, to these parties, under this guarantee. If this were done it would be a great advantage to have the roads constructed by private companies.⁴⁷ There could be no doubt that the construction of the railroad would bring the wild lands of the Province into the market at a fair price, perhaps from 10s to 40s per acre, but at present they sold in Nova Scotia for only 2s 6d per acre. But he thought private companies would construct this road better than the centralized government because they would bring together the talents of a greater number of intelligent heads.⁴⁸ He did not think they were in a position at present to pledge the Province to so great an amount, even considering that the estimates made by the Inspector General were substantially correct. It is of great importance to have a road to Halifax, but we ought to be assured that there is no error as to the distance.⁴⁹ It ought to be well ascertained that there was no nearer route to Halifax than the one now proposed.⁵⁰ He had always understood that the Portland road to Halifax was very much shorter than the one going round by Quebec. This is a point that deserved the most careful consideration, for if there is a much nearer road to Halifax than by Quebec, it is as illusive to imagine that we can attract the trade of the west to Halifax in that way, as it would be to imagine that the shortest way to Quebec would be by going round by Detroit.⁵¹ On all these points he wanted information.⁵²

MR. MERRITT said there never was a country placed in a more favourable position to go on with Public Works than we are at the moment; and there never was a boon of greater value offered to the country than the one offered by the Imperial Government to this country, provided we have the judgment⁵³ [and] the intelligence to make use of it properly.⁵⁴ But before we undertake to assume a debt of four millions of pounds, we ought to inquire into the object upon which we are about to expend that money. He would now take the opportunity of calling the attention of the Committee to the object of constructing the great Trunk Railway. He read in the Report of the Railroad Committee, when first presented, what they consider the object of this line. They say this great line is considered as a provincial undertaking and should be taken up as such, as in conjunction with our water command, it will secure the greater portion of the trade of Western America. The Inspector General says the object is to draw through Canada the commerce of the West.⁵⁵ Now that was an absurdity.⁵⁶ Are we to draw through Canada the commerce of the West because it is a cheaper communication than by water ... if ever there was a fallacy to begin with, that is one. But if it were true, then the scheme is the greatest absurdity that was

ever presented to the public, because not one barrel of flour and not one ton of product would come from Lake Erie down this railroad. If railroad were cheaper than water communication, produce would go from Lake Erie to New York by the railway, through the State, which was so much shorter than the route through Canada, that they must secure everything going to the Atlantic in this way of goods.⁵⁷

MR. INSP. GEN. HINCKS--What is the distance from Buffalo to New York?⁵⁸

MR. MERRITT--It is calculated that the distance is⁵⁹ only 160 miles, and the trade was already going that way.⁶⁰ He would admit that for passengers the railroads are cheapest and quickest.--But if railroads are cheapest for goods, then we would lose the trade entirely, from the fact that New York is the spot where all the trade to Europe centered. He had already shown that the trade on the Welland Canal was a failure. The great part of the trade goes by Oswego. Within the last month fourteen vessels through the Welland Canal went to Quebec and Montreal and seventeen to Ogdensburgh; but more than three hundred went to Oswego⁶¹. However, the great rivalry with this railroad would be from Buffalo.⁶² And it was for this reason he was anxious to call the attention of the Imperial Government to the necessity of doing something to secure that trade.⁶³ He repeated that looking only to the trade of Canada itself, he would advocate the railroad, only desiring different arrangements from those of the Inspector General.⁶⁴

MR. INSP. GEN. HINCKS--What do they carry to Oswego?⁶⁵

MR. MERRITT--It is what may be called a rolling trade. He wished, however, to show that their great rival in this road would be Buffalo. The hon. gentleman here went into a variety of statistics to show the various distances of the routes. He said that from Hamilton to Niagara the distance was 50 miles, thence to New York 450 miles, making a distance of 500 miles from Hamilton to New York. From Hamilton to Kingston the distance is 220 miles, thence to New York 350, making 570 miles in all. Now would any body go down that way to go to New York if they could get so much nearer. The shortest route to the Atlantic then, was by the Montreal and Portland Road, and that was the real rival which the Province could oppose to the New York roads. But there was still another line, which he thought would be as advantageous. He meant from Trois Pistoles to St. Andrews and thence to Halifax. This road, too, he believed could be constructed in such a way as to be no expense to the Government, even though the line eastward of Quebec should pay nothing. But he estimated the expense of this road in a totally different way from the Inspector General; and he doubted whether it could be best constructed by Government. The example of Belgium indeed had been cited, of which country the House knew nothing; but the Michigan Railway, undertaken by the Government, had lost money till the Government was obliged to sell it, and then it immediately began to pay 8 per cent. So it would be in this case. The Government would have to compete with the keenest rivalry from the Ogdensburg and Portland Road, managed, not by jobs and for political objects, but by the keenest men of business; and all this, with the fact that the Quebec and Halifax road was somewhat longer than the Portland; managed by the Government, then such a road must fail. He believed that if the Government considered from that, the road would cost £6,500 per mile, private persons would be able to construct it for £3,250.⁶⁶

MR. INSP. GEN. HINCKS said this was only stating in another way, the fact, that if the railway were built by private parties they would get the Provincial guarantee for half the amount.⁶⁷

MR. MERRITT went on to show that the State of N. York, instead of placing railroads on the banks of their Canals, were increasing the volume of their Canals. That was the way in which they drew the Western trade, and the way for Canada to

counteract them was to complete her water communications, so as to get a route for vessels of 1000 tons. With regard to the trade of the West then he thought the idea illusory. But regarding it as a passenger route it should be undertaken, if it could be done on good terms. Now on a former occasion a large sum was lent by England and gladly accepted by the Province; but what was the result? It was spent in works which yielded no profit whatever.⁶⁸

MR. INSP. GEN. HINCKS said the Canals would yield £70,000 this year.⁶⁹

MR. MERRITT--But if the railway, as it was said, was to take all the trade, of what use would they be? However, he did not think the railways would ever compete with the canals. He then went on to propose that instead of the roads being undertaken by the Province, they should be undertaken by public companies; Great Britain would lend the money at $3\frac{1}{2}$ per cent, and so much as was required could then be lent to private companies at 6 per cent. This would give a profit of $2\frac{1}{2}$ per cent to the Province, which could be applied as a sinking fund.⁷⁰

MR. H. SHERWOOD said he hoped the Inspector General would allow the committee to rise and report progress and ask leave to sit again. It would be much better to postpone the discussion to Tuesday or any other day that might be deemed advisable⁷¹ to give time for consideration.⁷²

MR. INSP. GEN. HINCKS wished to make one or two remarks upon the objections made by the hon. member for Norfolk, and also by the hon. member for Lincoln. He admitted the force of the remarks made in reference to private companies constructing these works; but contended that such companies could not be found⁷³ [or] formed⁷⁴. The Toronto and Lake Huron railroads afforded sufficient evidence that such a sum as was needed for this trunk line could not be raised⁷⁵ and he instanced the inconvenience that the Great Western Railway was in the hands of private parties. The Directors of that road had subscribed a comparatively small sum of money, and yet they would have the control of all the public money subscribed by municipalities and the government guarantee.⁷⁶ In order to make good his case the hon. gentleman should also have been ready to show where capitalists would be got to come forward and subscribe the necessary funds. Where could they get capitalists who would subscribe four millions.⁷⁷ Then, if there were none, why should mere pretenders get into their hands the entire control of the money, with which it must be entirely built.⁷⁸ While there were men in Toronto who would be able in 24 hours to raise all the money necessary to construct the Toronto and Huron R.R., yet they had not subscribed a dollar towards it. The hon. member for Lincoln had talked of the distance from Lake Erie to N. York; but he had not answered the case, which he (Mr. H.) had established by quotations from Mr. Poor, who showed that when you got to New York, you still wanted to get to Halifax.--He, (Mr. Hincks,) had hitherto spoken only of passengers; but as to freight he had, a few nights before, shown that in England, railways carried coal at 1s. per ton, for 100 miles. At that rate, the cost of carrying a barrel of flour from Detroit to Halifax, would be 1s. 8d. currency. Major Robinson, also, had made an elaborate estimate of the cost, and he placed it at 2s. 6d. But there was another authority which the hon. member would not dispute. Mr. Thos. Keefer placed it at about the same rate. It was therefore not absurd to suppose railways would do a considerable business, in the way of freight.⁷⁹

MR. MERRITT replied that in the United States they had carried a barrel of flour from Buffalo to Albany, 240 miles, for 25 cents, but had to give it up; and on the Ogdensburgh Road they charged 1s. for a barrel for 118 miles.⁸⁰

MR. ROBINSON suggested that the Committee had better rise in order to allow time for some evidence taken before the railway committee to be printed.⁸¹

MR. H. SHERWOOD considered Mr. Merritt's idea of borrowing money at $3\frac{1}{2}$ per cent,

and lending it to Companies at 6 per cent, most impolitic. If the private Companies could pay 6 per cent, the province had better keep the railroad, and reap the advantage; and in twenty years or so be the possessor of it free from debt.⁸²

MR. MERRITT assumed the road would not pay.⁸³

MR. H. SHERWOOD--Then private Companies will not take it.⁸⁴

MR. MERRITT said that private companies managed such undertakings better than Governments, and made them pay when Governments could not.⁸⁵

MR. CAUCHON asked Mr. Merritt what is the difference between canals and railways? (Laughter.)⁸⁶

MR. H. SHERWOOD--One is water, the other is iron. (Increased laughter.)⁸⁷

MR. CAUCHON went on to contend in favor of the Government assuming the railroad and of constructing it.⁸⁸

After a few more words from other members, the Committee rose and reported.⁸⁹

(250)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,

Ways and Means.

Resolved, That this House do now resolve itself into a Committee, to consider of Ways and Means for raising the Supply granted to Her Majesty.

The House accordingly resolved itself into the said Committee.

Mr. Meyers took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Meyers reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

Railways General
Clauses
Bill.

Mr. Sauvageau reported the Bill to consolidate and regulate the General Clauses relating to Railways; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Montreal, Kingston
and Toronto
Railroad Bills.

Mr. Boulton of Toronto reported the Bill to incorporate the Montreal and Kingston Railway Company, and also the Bill to incorporate, the Kingston and Toronto Railroad Company; and the amendment to the Bill to incorporate the Montreal and Kingston

Railway Company was read, and agreed to.

Ordered, That the Bill to incorporate the Montreal and Kingston Railway Company, with the amendment, be engrossed, and read the third time to-morrow.

Ordered, That the Bill to incorporate the Kingston and Toronto Junction Railroad Company, be engrossed, and read the third time to-morrow.

Bytown and
Prescott Rail-
way Bill.

The Order of the day for the House in Committee on the Bill to amend the Act incorporating the Bytown and Prescott Railway Company, being read;⁹⁰

MR. J. SCOTT, of Bytown, said he had obtained the consent of the Inspector General to take up the item for the House to go in Committee on the Bill to amend the Bytown and Prescott Railroad Act.⁹¹

(251)

The House accordingly resolved itself into the said Committee.

Mr. Sauvageau took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sauvageau reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Sauvageau reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Naval Reserves
Vesting Bill.

The Order of the day for the second reading of the Bill for vesting in the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, the Estates and Property therein described, and for granting certain powers to the said Commissioners, and for other purposes therein mentioned, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for to-morrow.

Jurors Bill
(L.C.).

The Order of the day for the second reading of the Bill to amend an Act, intituled, "An Act to regulate the summoning of Jurors in Lower Canada," being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

Bill relating
to Patents for
Inventions.

The Order of the day for the second reading of the Bill to enable parties holding Patents for Inventions confined to one Section of this Province, to obtain the extension of the same to the other Section thereof, and for other purposes therein mentioned, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

Supply.

The House, according to Order, proceeded to take into further consideration the One hundred and sixty-seventh to the One hundred and eighty-seventh Resolutions, both inclusive, which were, on Friday last, reported from the Committee of Supply.

And the One hundred and sixty-seventh to the One hundred and eighty-sixth of the Resolutions, both inclusive, being read a second time, were agreed to.

The One hundred and eighty-seventh Resolution being read a second time;

Mr. Mackenzie moved in amendment thereunto, seconded by Mr. Hopkins, That the words "provided that the Office of Assistant Commissioner of Public Works be, and the same is hereby abolished" be added at the end thereof;

And the Question being put, That those words be there added;⁹²

MR. MACKENZIE ... read from Mr. Cameron's evidence before the Retrenchment Committee last year, to show that there was no necessity at all for two Commissioners and that we could do all the work in two hours a day. It appeared, however, that the present Chief Commissioner was only put in to do the political part of it. The Halton election had shown the feelings of the people.⁹³

MR. INSP. GEN. HINCKS--The present was an extraordinary way to abolish an office created by act of Parliament. Next he complained that the hon. member for Haldimand had read only garbled extracts from the evidence of Mr. Cameron; and he read the evidence of Mr. Robinson and Mr. Taché to show that it was untrue that the office was useless. As to the County of Halton, it was well known the present hon. member was returned, not by the reformers but by the conservatives.⁹⁴

MR. HOPKINS declared that whoever he was elected by, he was chosen to show that the people of the county he represented did not approve of the way in which the Administration carried on the government. As to the tories, they had carried on the government upon the principles of responsible government quite as well as hon. gentlemen opposite; but for his own part throughout the period he had been in Parliament he had never given a tory vote.⁹⁵

MR. H. SHERWOOD approved of the propositions; but not of the shape in which it was put. He thought that it should be done by a bill. He blamed Mr. Hincks for taunting Mr. Hopkins with being returned by the conservatives, and said it was like saying of a man that he had been returned by the black population--as if the conservatives votes were of no consequence.⁹⁶

MR. INSP. GEN. HINCKS explained that he did not mean to say that; but only that the election was not to be looked on as a condemnation of the ministry by their own party.⁹⁷

(251)

the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Hopkins, and Mackenzie.--(2.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Crysler, Dickson, Duchesnay, Dumas, Flint, Fortier, Fournier, Guly, Guillet, Hall, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Macdonald of KINGSTON, McConnell, McLean, Méthot, Mongenais, Folette, Price, Robinson, Ross, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Taché.--(43.)⁹⁸

So it passed in the Negative.

MR. H. SMITH (Frontenac) before the main motion was put, said he approved of the abolition of the office in question, but not of the time at which the late amendments were proposed.⁹⁹

(251)

The One hundred and eighty-seventh Resolution was then agreed to.

Supply. The Order of the day for the House in Committee of Supply, being read;

The House accordingly resolved itself into the said Committee.

Mr. Scott of Two Mountains took the Chair of the Committee;

The item of £14000 for slides on the St. Maurice was reduced to £10,000.¹⁰⁰

(251)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Scott of Two Mountains reported, That the Committee had come to several Resolutions.

Ordered, That the Report be received to-morrow.

Mr. Scott of Two Mountains also reported, That he was directed by the Committee to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Solicitor General Macdonald,

The House adjourned. 101

[QUESTION AND ANSWER RE: RETIREMENT OF CERTAIN GOV'T MINISTERS AND FORMATION OF A NEW ADMINISTRATION.]¹⁰²

MR. W. BOULTON of Toronto, enquired of the Administration whether the rumor that the Attorney Gen. East, the Commissioner of Crown Lands, and Secretary, or either of them is about retiring from the Government is correct? And whether any person up to this time has made any proposition to any member of the Government, to form part of a New Administration, or whether any member of the Government has made any such proposition to any other person on the like subject?¹⁰³

MR. INSP. GEN. HINCKS said the Hon. gentleman had intimated to him his intention to give notice of these enquiries, but he (Mr. H.) had replied that so far as he was concerned, no notice was necessary. As to any rumor that might have existed with reference to the retirement of any members of the Government, he supposed that every member of the House knew as much about the matter as he did; because all had had opportunities of hearing the declarations which had been made by his honourable friends, the Attorney General East, and the Commissioner of Crown Lands. With regard to the retirement of any member of the Legislative body, this was the first time he had heard anything about it, and was not aware that any intention of the kind existed. As to the second question, relating to propositions by or to the Government, he begged to say that nothing of the kind had taken place; notwithstanding various mysterious paragraphs to the contrary in several newspapers. Hon. gentlemen who paid attention to what was passing in the fourth estate, must have seen that a journal which was for a time a supporter of the present administration, had within a short time back declared its want of confidence in the Government. In consequence of this, there was no doubt that a number of gentlemen--not members of the Government merely, but of the party generally, with whom he had the honour to act--had felt that it was desirable either to establish a newspaper, or to get the aid of some existing paper to support the administration. In this feeling he had shared; and it was entirely in reference to this subject that any negotiation had occurred. He believed that some gentlemen (not himself nor any member of the Government) first had some conversation with certain gentlemen connected with the press, and were induced to believe that there were no material differences to prevent their having the assistance of certain papers already in existence in this city. Certain communications took place, the result of which was that they had not yet succeeded in affecting any arrangement. There was nothing in this with which the administration were connected. It was rather the party with whom the administration acted; and he repeated that the whole of these alleged important negotiations had reference altogether to the press, and not to any new formation of parties.¹⁰⁴

MR. AT. GEN. LAFONTAINE said he did not want any administration of which he was a member to be the object of unjust sarcasm; and therefore, whatever were the motives of the hon. member who had put the questions, he was not sorry that an opportunity had been afforded for setting the House right on this matter. He would like to know, however, under what flag the junior member for Toronto proposed to sail.¹⁰⁵

MR. MALLOCH was at a loss to know how it was that no Government could get on in this country unless it were propped up by some newspaper.¹⁰⁶ (Loud laughter.)¹⁰⁷

MR. INSP. GEN. HINCKS was not sure that the Government could not get on without a paper. He was getting to be very much of the hon. member's opinion.¹⁰⁸

MR. H. BOULTON.--Was no application made by the hon. Inspector General to other parties to join in the Government?¹⁰⁹

MR. INSP. GEN. HINCKS--Certainly not.¹¹⁰

The conversation then dropped.¹¹¹

FOOTNOTES: 8 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 9 August 1851, BRITISH COLONIST, 12 August 1851, MONTREAL GAZETTE, 13 August 1851, EXAMINER, 13 August 1851, NORTH AMERICAN, 15 August 1851, and BATHURST COURIER, 19 August 1851.
2. BRITISH COLONIST, 12 August 1851.
3. GLOBE, 9 August 1851.
4. BRITISH COLONIST, 12 August 1851.
5. GLOBE, 9 August 1851.
6. BRITISH COLONIST, 12 August 1851.
7. GLOBE, 9 August 1851.
8. BRITISH COLONIST, 12 August 1851.
9. GLOBE, 9 August 1851.
10. IBID.
11. IBID.
12. IBID.
13. BRITISH COLONIST, 12 August 1851.
14. GLOBE, 9 August 1851.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 12 August 1851, BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, HAMILTON SPECTATOR, 13 August 1851, MONTREAL GAZETTE, 14 August 1851, NORTH AMERICAN, 15 August 1851, PILOT, 16 August 1851, MORNING CHRONICLE, 19 August 1851, BATHURST COURIER, 19 August 1851, OTTAWA CITIZEN, 23 August 1851, and LA MINERVE, 16 August 1851.
21. GLOBE, 12 August 1851.
22. BRITISH COLONIST, 12 August 1851.
23. GLOBE, 12 August 1851.
24. BRITISH COLONIST, 12 August 1851.
25. GLOBE, 12 August 1851.
26. IBID.
27. IBID.
28. BRITISH COLONIST, 12 August 1851.
29. GLOBE, 12 August 1851.
30. BRITISH COLONIST, 12 August 1851.
31. GLOBE, 12 August 1851.
32. BRITISH COLONIST, 12 August 1851.
33. GLOBE, 12 August 1851.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. BRITISH COLONIST, 12 August 1851.
42. GLOBE, 12 August 1851.
43. IBID.
44. BRITISH COLONIST, 12 August 1851.
45. EXAMINER, 13 August 1851.

46. BRITISH COLONIST, 12 August 1851.
47. GLOBE, 12 August 1851.
48. BRITISH COLONIST, 12 August 1851.
49. GLOBE, 12 August 1851.
50. BRITISH COLONIST, 12 August 1851.
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56. BRITISH COLONIST, 12 August 1851.
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58. IBID.
59. IBID.
60. BRITISH COLONIST, 12 August 1851.
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62. BRITISH COLONIST, 12 August 1851.
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64. BRITISH COLONIST, 12 August 1851.
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66. IBID.
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71. IBID.
72. BRITISH COLONIST, 12 August 1851.
73. GLOBE, 12 August 1851.
74. BRITISH COLONIST, 12 August 1851.
75. GLOBE, 12 August 1851.
76. BRITISH COLONIST, 12 August 1851.
77. GLOBE, 12 August 1851.
78. BRITISH COLONIST, 12 August 1851.
79. GLOBE, 12 August 1851.
80. BRITISH COLONIST, 12 August 1851.
81. GLOBE, 12 August 1851.
82. IBID.
83. BRITISH COLONIST, 12 August 1851.
84. IBID.
85. IBID.
86. IBID.
87. IBID.
88. IBID.
89. IBID.
90. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 12 August 1851, MONTREAL GAZETTE, 13 August 1851, NORTH
AMERICAN, 15 August 1851, and OTTAWA CITIZEN, 23 August 1851. The debate
was also reported by GLOBE, 12 August 1851.
91. BRITISH COLONIST, 12 August 1851.
92. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 12 August 1851, HAMILTON SPECTATOR, 13 August 1851, MONTREAL
GAZETTE, 14 August 1851, and PILOT, 16 August 1851. The debate was also
reported by GLOBE, 12 August 1851.
93. BRITISH COLONIST, 12 August 1851.

94. IBID.
95. IBID.
96. IBID.
97. IBID.
98. GLOBE, 12 August 1851, reported that 45 members voted against this amendment.
99. BRITISH COLONIST, 12 August 1851.
100. IBID.
101. GLOBE, 12 August 1851, reported that the House adjourned "at half-past eleven."
102. The following papers reported this question and answer in partially identical accounts: BRITISH COLONIST, 12 August 1851, MONTREAL GAZETTE, 13 August 1851, EXAMINER, 13 August 1851, MORNING CHRONICLE, 14 August 1851, NORTH AMERICAN, 15 August 1851, and OTTAWA CITIZEN, 23 August 1851. GLOBE, 9 August 1851, noted the question.
103. BRITISH COLONIST, 12 August 1851.
104. EXAMINER, 13 August 1851.
105. IBID.
106. IBID.
107. BRITISH COLONIST, 12 August 1851.
108. EXAMINER, 13 August 1851.
109. IBID.
110. IBID.
111. BRITISH COLONIST, 12 August 1851.

SATURDAY, 9 AUGUST 1851.

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Petitions read.

PURSUANT to the Order of the day, the following
Petitions were read:--

Of Thomas Wardrope and others, of the Town of Bytown; praying for the adoption of measures to abolish all labor on the Lord's Day in the Postal Department of the Public Service.

Of William A. Chisholm and others, of the Town and vicinity of St. Catharines; praying for the passing of an Act to remove the restrictions imposed upon Foreign Insurances in this Province.

Of Henry Allen, of the City of Toronto, Esquire, Barrister, and heretofore Judge of the London District; complaining of his dismissal from the said office, and other grievances therewith connected, and praying for relief in the premises.

Bill relating
to Securities
to the Crown.

The Honorable Mr. Boulton moved, seconded by Mr. Sherwood of Brockville, and the Question being put, That the Order of the day for the second reading of the Bill to declare that Bonds and other personal securities to the Crown shall constitute no incumbrance upon the Real Estates of parties thereto, be replaced in its order as of the date of 25th June; the House divided:--And it passed in the Negative.

Orders deferred.

Ordered, That the Orders of the day that remain undisposed of at the adjournment of the House, this day, be postponed until Monday next.

On motion of Mr. Armstrong, seconded by Mr. Christie,

Printing.

Ordered, That it be an Instruction to the Standing Committee on Printing to enquire into and report the cost of Printing and Binding by the Queen's Printer, of the Trade and Navigation Returns for 1850, laid before the House during the present Session; also, into all Printing done for the House of Assembly, and into all Printing done for the Government; and, as far as practicable, to ascertain whether such Printing could not, after due notice being given, be obtained for a less cost than is now paid for the same to the party aforesaid.

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Wood's Estate
Relief Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to afford relief to the Estate of the late Alexander Wood," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sherwood of Brockville do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same without Amendment.

Witnesses
Attendance Bill.

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to authorize and enforce the attendance of Witnesses in civil cases from any part of this Province before the Courts of Superior Jurisdiction, being read;

Mr. Sherwood of Brockville moved, seconded by Mr. Lyon, and the Question being proposed, That the Report be now received;

Mr. Richards moved in amendment to the Question, seconded by Mr. Méthot, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Bouthillier, Cauchon, Chabot, Chauveau, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenais, Richards, Scott of TWO MOUNTAINS, Taché, and Viger.--(25.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cartier, Christie, Crysler, Fergusson, Flint, Holmes, Johnson, Lyon, Malloch, McConnell, McFarland, McLean, Meyers, Morrison, Prince, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(28.)

So it passed in the Negative.

And the Question being again proposed, That the Report be now received;

Mr. Richards moved in amendment to the Question, seconded by Mr. Méthot, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be now recommitted for the purpose of adding the words Provided always, that the provisions of this Act shall not apply to any Action or Suit pending in Upper Canada against any Defendant or Defendants residing in Lower Canada at the institution of the Actions or for a cause of Action originating in Lower Canada," at the end of the amendment made by the Committee to the Bill" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Cauchon, Chabot, Chauveau, Duchesnay, Fortier, Fournier, Fourquin, Guillet, LaTerrière, Lemieux, Letellier, Méthot, Meyers, Mongenais, Richards, and Smith of DURHAM.--(17.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cartier, Christie, Crysler, Dickson, Fergusson, Flint, Holmes, Hopkins, Johnson, Attorney General LaFontaine, Lyon, McConnell, McFarland, McLean, Morrison, Prince, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(31.)

So it passed in the Negative.

And the Question being again proposed, That the Report be now received;

Mr. Richards moved in amendment to the Question, seconded by Mr. Méthot, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be now recommitted for the purpose of adding the following Clause thereto: "And be it further enacted, That when any Action is pending and undetermined in any of the Superior Courts of Law in Upper or Lower Canada, and another Action is brought for the same cause of Action in any of the Superior Courts of Law in the Section of the Province other than that in which the Suit is pending, the Court in which the Action is last brought, or a Judge thereof in vacation, may stay proceedings in such Action so last brought until the Action first brought shall be discontinued or determined, and the costs thereof paid" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Cauchon, Chabot, Chauveau, Duchesnay, Dumas, Fergusson, Fortier, Fournier, Fourquin, Guillet, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Mackenzie, Méthot, Meyers, Mongenais, Richards, Sauvageau, Smith of DURHAM, and Viger.--(24.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Cartier, Christie, Crysler, Dickson, Flint, Holmes, Hopkins, Johnson, Malloch, McConnell, McFarland, McLean, Morrison, Prince, Robinson, Sanborn, Scott of BYTOWN, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(26.)

So it passed in the Negative.

And the Question being again proposed, That the Report be now received; the House divided:--And it was resolved in the Affirmative.

Mr. Johnson reported the Bill accordingly; and the amendment being read a second time; and the Question being put, That this House doth concur with the Committee in the said amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cartier, Christie, Crysler, Dickson, Fergusson, Flint, Gagy, Holmes, Hopkins, Johnson, Attorney General LaFontaine, LaTerrière, Lyon, Malloch, McConnell, McFarland, McLean, Meyers, Morrison, Prince, Robinson, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(35.)

NAYS.

Messieurs Armstrong, Badgley, Bouthillier, Cauchon, Chabot, Chauveau, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Jobin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Méthot, Mongenais, Polette, Richards, Smith of DURHAM, and Viger.--(23.)

So it was resolved in the Affirmative.

Mr. Sherwood of Brockville moved, seconded by Mr. Dickson, and Question being put, That the Bill, with the amendment, be engrossed, and read the third time on Monday next; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cartier, Cayley, Christie, Crysler, Dickson, Fergusson, Flint, Gagy, Holmes, Hopkins,

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Johnson, Lyon, Macdonald of KINGSTON, Malloch, McConnell, McFarland, McLean, Meyers, Morrison, Prince, Robinson, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(34.)

NAYS.

Messieurs Armstrong, Badgley, Bouthillier, Cauchon, Chabot, Chauveau, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, Letellier, Mackenzie, Méthot, Mongenais, Polette, Richards, Smith of DURHAM, and Viger.--(25.)

So it was resolved in the Affirmative.

Supply.

Mr. Scott of Two Mountains, from the Committee of Supply, reported several Resolutions; which were read as follow:--

Expenses of the Civil Government, 1850.

1. Resolved, That a sum, not exceeding Nine thousand six hundred pounds three shillings and nine pence, currency, be granted to Her Majesty, to make good various indispensable Expenses of the Civil Government incurred during the year

1850, as detailed in Statement No. 33, of the Public Accounts of that year, laid

before the Legislature.

Indian
Annuities.

2. Resolved, That a sum, not exceeding One thousand one hundred pounds, currency, be granted to Her Majesty, for the payment of new Indian Annuities, for the year 1851.

Halifax and
Quebec Railway.

portion of expenses of Survey of the Halifax and Quebec Railway to be borne by Canada.

3. Resolved, That a sum, not exceeding Four hundred and sixteen pounds nine shillings and eight pence, currency, be granted to Her Majesty, to pay the balance of the

Montreal Provi-
dent and Savings
Bank Commission
of Enquiry.

4. Resolved, That a sum, not exceeding Three hundred and forty-two pounds eighteen shillings and seven pence, currency, be granted to Her Majesty, to defray the final balance of expenses of the Commission of Inquiry into the state of the Montreal Provident and Savings Bank.

Electric Tele-
graph Association.

5. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, to defray the grant for the British North American Electric Telegraph Association.¹

MR. INSP. GEN. HINCKS said that this line went through an uninhabited country, and in reply to an application for assistance the government determined instead of taking stock to give a gratuity of £90, to be paid when the line should be finished.²

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Parliamentary
Library.

6. Resolved, That a sum, not exceeding Two thousand pounds, currency, be granted to Her Majesty, to pay the additional grant for the Parliamentary Library, to be charged in the

Estimate of 1851.

Protection of
the Fisheries.

7. Resolved, That a sum, not exceeding One thousand pounds, currency, be granted to Her Majesty, to defray the estimated expense for the Protection of the Fisheries in the Gulf of

St. Lawrence, for the year 1851.

MR. AT. GEN. LAFONTAINE explained that the object of this grant was to keep up a steamer in connection with the other Colonies for the protection of the fishermen, who were now driven off their ground by the Americans and French.³

MR. MERRITT contended that it would be better to give bounties to the fishermen as was done by France and the United States.⁴

MR. AT. GEN. LAFONTAINE said the fishermen only asked for protection against force; not for bounties.⁵

MR. INSP. GEN. HINCKS thought the hon. member for Lincoln a most extraordinary free trader. What were bounties but taxes levied on all the rest of the people, to add to the profits of a peculiar class. If the fisheries were profitable, why should the fishermen have an addition to their gains at the expense of other people. If they were not profitable why charge any one with taxes in order to induce people to go into an unprofitable business, which they would not otherwise engage in.⁶

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Agricultural
Association,
Lower Canada.

8. Resolved, That a sum, not exceeding Four hundred pounds, currency, be granted to Her Majesty, to defray the additional grant for the Provincial Agricultural Association of Lower Canada, for the year 1851.

L'Academie
Industrielle.

9. Resolved, That a sum, not exceeding One hundred and fifty pounds, currency, be granted to Her Majesty, in aid of L'Académie Industrielle at St. Laurent, for the year 1851.

Mechanics'
Institutes.

10. Resolved, That a sum, not exceeding Five hundred pounds, currency, be granted to Her Majesty, to enable Her to extend an aid of Fifty pounds to each of the Mechanics' Institutes at Hamilton, Belleville, Brockville, Bytown, Coloury, Perth, Picton, Guelph, Simcoe, and Woodstock, for the year 1851.

Dr. Rees.

11. Resolved, That a sum, not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, as a Gratuity to Dr. Rees, for injury sustained by him in the Lunatic Asylum.

Post Office
at Toronto.

12. Resolved, That a sum, not exceeding Four thousand five hundred pounds, currency, be granted to Her Majesty, for the erection of a Post Office at Toronto, and for the purchase of a Site.

On the item of £4500⁷ for the Post Office at Toronto, MR. MERRITT objected to it as a most profligate [*sic*] grant. There would soon be plenty of empty buildings at Toronto, why not use one of them?⁸

MR. SOL. GEN. MACDONALD thought money would be saved by building the Post Offices instead of renting them. At Hamilton the Postmaster charged £100 a year rent for his office.⁹

MR. MERRITT¹⁰--What's the interest on £4000.¹¹

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Slides on the
River St. Maurice.

13. Resolved, That a sum, not exceeding Ten thousand pounds, currency, be granted to Her Majesty, for the erection of Slides on the River St. Maurice.

The said Resolutions, being read a second time, were agreed to.

The Honorable Mr. Boulton moved, seconded by Mr. Mackenzie, and the Question being put, That every Item included in the Resolutions reported from the Committee of Supply be set forth in a Schedule to the Bill to be introduced upon the said Resolutions, in the words and figures in which they have respectively been voted;

MR. H. BOULTON moved an amendment to the effect that the items of the estimates should be printed with the statutes. This he said was the practice in the United States, and in every British American Colony except Canada. Even in Upper Canada this had been done under the good old times as they were called, of toryism and the family compact.¹²

MR. INSP. GEN. HINCKS remarked that several of the newspapers had already published the estimates in full, and they would be printed in the journals now about to be distributed through the country. The whole intention of the hon. member, too, was this, that he might have an opportunity to raise a discussion on every point. The hon. member for Haldimand had taken up one half of the session to himself, and he thought that was enough, without opening a door for more debate.¹³

MR. MACKENZIE did not understand being thus lectured by the hon. Inspector General, who had formerly spoken quite as strongly as he (Mr. Mackenzie) on all the subjects on which he had addressed the House. The hon. member, however, had got an office, and lost his principles, and had now gone the complete round of everything. He came to the Province a tory, acted with the tories, and voted with them even in the municipal elections, till he came into the People's Bank with the reformers and then joined them in politics. He therefore thought the hon. member the last man to lecture him only for his consistency. Providence had spared no pains upon the hon. member's brains; but he should not lecture others. He went on to show that the proposed plan prevailed at Washington.¹⁴

MR. W. SCOTT (Two Mountains) complained that the hon. member was breaking a

promise he had given to avoid discussion. Instead of this he was making bunkum speeches.¹⁵

MR. MACKENZIE had never made a bunkum speech in his life. He had always been ready to sacrifice everything possessed, when in a position of independence, for his principles. The hon. member did not think it bunkum when £500 had been offered for the hon. member's head.¹⁶

MR. INSP. GEN. HINCKS said he would agree to the motion if it were understood that when the Bill of Supply came up, the items would not be discussed a third time.¹⁷

MR. H. BOULTON assented;¹⁸

MR. G. SHERWOOD hoped the hon. member would take a special understanding to that effect; for there were certain gentlemen who whatever their good intentions could not resist the temptation of talking. (Laughter.)¹⁹

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Cartier, Cayley, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fergusson, Hall, Hincks, Holmes, Hopkins, Attorney General LaFontaine, LaTerrière, Solicitor General Macdonald, Mackenzie, Malloch, McConnell, McFarland, Merritt, Meyers, Morrison, Notman, Price, Robinson, Ross, Sanborn, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, Stevenson, and Viger.--(37.)

NAYS.

Messieurs Armstrong, Cauchon, Chabot, Fortier, Fournier, Fourquin, Guillet, Lemieux, Mongenais, Polette, Richards, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(15.)

So it was resolved in the Affirmative.

Supply Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill for granting to Her Majesty certain sums required for defraying certain Expenses of the Civil Government for the year 1851, and certain other Expenses connected with the Public Service.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Resolved, That the printing, before the second reading, of the Schedule to the said Bill containing the appropriations in detail, be dispensed with.

Bytown and Prescott Rail-way Bill.

An engrossed Bill to amend the Act incorporating the Bytown and Prescott Railway Company, was according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Burritt do carry the Bill to the Legislative Council, and desire their concurrence.

Chancery Decrees and Orders Bill (U.C.).

The Order of the day for the House in Committee on the Bill to confirm Decrees and Orders, and other proceedings of the Court of Chancery of Upper Canada in certain cases, being read;

The House accordingly resolved itself into the said Committee.

Mr. Taché took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Taché reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

Parishes Erection
Bill (L.C.).

The Order of the day for the second reading of the
Bill to provide for the erection of Parishes for Civil

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purposes only in certain parts of Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Stevenson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Stevenson reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Stevenson reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Printing.

The Order of the day for the House in Committee on the
Fourth Report of the Standing Committee on Printing, being

read;

The House accordingly resolved itself into the said Committee.

Mr. Jobin took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Jobin reported, That the Committee had come to several Resolutions; which were read, as follow:--

1. Resolved, That despatch, economy, and accuracy would be promoted, and a greater uniformity in the proceedings of the two Houses secured, by the substitution of a printed Copy on Vellum or Parchment for the engrossed Copy now used in bringing up Bills from either House for the concurrence of the other, as well as for presentation to the Governor General for the signification of the Royal Assent.

2. Resolved, That the Bills which are finally offered for the Royal Assent should be printed on Vellum or Parchment, the said Bills being duly authenticated by the proper Officers of both Houses; and that the Copies of the Statutes promulgated by the Queen's Printer be impressions from the same form.

3. Resolved, That in addition to the Copy of the Bill presented for the Royal Assent, another Copy on Vellum or Parchment be taken from the same form, and being duly authenticated by the proper Officers of both Houses as a duplicate of that on which the Royal Assent is endorsed, be delivered to the Registrar of the Province, by him to be preserved as a Record of the Provincial Acts.

4. Resolved, That the practice of withdrawing the Local and Private Acts from the Volume printed for general circulation should be discontinued, and therefore it is expedient to repeal so much of the Act 12 Vic. cap. 16, as provides that the Local and Private Acts be printed in less number than the Public General Acts.

5. Resolved, That the present form of the Sessional Volume of Statutes should be abandoned, and the form of Royal Octavo adopted, and that they be printed on fine paper in small pica type, 32 ems by 55 ems, including marginal notes in brevier, such notes referring to the Volume and Page of previous Statutes, whenever the text amends, repeals or changes the enactments of former years.

6. Resolved, That the Sessional Volume of the Statutes for distribution, should be half bound in cloth, with backs of white sheep, and lettered.

7. Resolved, That every hour of unnecessary delay between the birth and the promulgation of an Act of Parliament by the Queen's Printer, is a dereliction of duty severely reprehensible on the part of all concerned in creating it.

8. Resolved, That a Message be sent to the Honorable the Legislative Council, requesting the concurrence of that Honorable Body to the arrangement contemplated in the three first of the foregoing Resolutions.

The said Resolutions, being read a second time, were agreed to.

Ordered, That Mr. Holmes do carry the said Message to the Legislative Council.

Bill relating to the Provincial Statutes.

Ordered, That Mr. Holmes have leave to bring in a Bill to repeal part of the Act therein mentioned, relative to the printing and distribution of the Provincial Statutes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Dower Bill.

The Order of the day for the second reading of the Bill to facilitate the barring of Dower by married women in Upper Canada, and for other purposes therein mentioned, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Law of Evidence Bill (L.C.).

The Order of the day for the second reading of the Bill to improve the Law of Evidence in Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Bill relative to Toll Gates in Cities, &c.

The Order of the day for the second reading of the Bill to prohibit the erection of any Toll-Gate or Toll-Bar which may intercept the free passage of the inhabitants of Cities, Towns or Villages within this Province, in passing from one portion of such Cities, Towns or Villages to other portions of the same Cities, Towns or Villages respectively, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Boulton of Toronto, Mr. Sherwood of Brockville, Mr. Solicitor General Macdonald, Mr. Morrison, and Mr. Lyon, to report thereon with all convenient speed.

Bill to enable certain Married Women to convey Real Estate.

The Order of the day for the second reading of the Bill to enable Married Women resident in foreign countries to convey Real Estate of which they are seized in the Province of Upper Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Bill relating to the payment of Mechanics.

The Order of the day for the second reading of the Bill to prohibit the payment of Mechanics and Artificers in certain Trades, of wages in goods, or by way of truck, or otherwise than in the current coin on this Province,

being read;

The Bill was accordingly read a second time; and referred to the Select Committee to which was referred the Bill for the better security of Mechanics and others erecting buildings and furnishing materials therefor, in the several Cities and Towns in this Province.

On motion of Mr. Solicitor General Macdonald, seconded by Mr. Flint,
Ordered, That it be an Instruction to the said Committee to confine the operation
of the Bill to the City of Toronto only.

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Library.

Resolved, That a Message be sent to the Honorable the
Legislative Council, to acquaint their Honors that
this House has appointed the Honorable Jean Chabot, in the place of the Honorable
Louis Joseph Papineau, to act on the part of this House upon the Joint Committee
on the Library.

Ordered, That Mr. Cartier do carry the said Message to the Legislative Council.

Bill relative to
Claims against
Owners of Vessels.

The Order of the day for the second reading of the
Bill to make better provision for the collection of claims
against the Owners of Vessels in certain cases, being read;

The Bill was accordingly read a second time; and
referred to a Select Committee, composed of Mr. McFarland, the Honorable Mr. Merritt,
the Honorable Mr. Cameron of Cornwall, the Honorable Mr. Boulton, and Mr. Richards,
to report thereon with all convenient speed.

Bill to abolish
Special Demurrers.

The Order of the day for the second reading of the Bill
to abolish Special Demurrers, and otherwise to amend the
practice of the Law in Upper Canada, being read;

The Bill was accordingly read a second time.

Mr. Smith of Durham moved, seconded by Mr. Lyon, and the Question being pro-
posed, That the Bill be now committed to a Committee of the whole House;

The Honorable Mr. Cameron of Cornwall moved in amendment to the Question,
seconded by the Honorable Mr. Boulton, That the word "now" be left out, and the
words "for Monday next" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names
being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Boulton of NORFOLK, Bouthillier, Cameron of CORN-
WALL, Cartier, Chabot, Chauveau, Christie, Flint, Fortier, Fournier, Fourquin,
Guillet, Holmes, Jobin, Attorney General LaFontaine, Malloch, McConnell, McLean,
Merritt, Méthot, Morrison, Prince, Robinson, Sauvageau, Taché, and Viger.--(28.)

NAYS.

Messieurs Armstrong, Dumas, Lyon, Solicitor General Macdonald, Mackenzie,
Richards, and Smith of DURHAM.--(7.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be committed to a Committee of the whole House, for Monday
next.

St. Lawrence
School of Med-
icine Bill.

The Order of the day for the House in Committee on
the Bill to incorporate the St. Lawrence School of Medicine
of Montreal, being read;

The House accordingly resolved itself into the said
Committee.

The Honorable Mr. Merritt took the Chair of the Committee; and after some time
spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Merritt reported, That the Committee had gone through the
Bill, and made an amendment thereunto.

Ordered, That the Report be received on Monday next.

Replevin Law
Amendment Bill.

The Order of the day for the House in Committee on the Bill to amend and extend the Law relating to the remedy by Replevin in Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Badgley took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Badgley reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time on Monday next.

Bill relative to
Annual Reports
from Provincial
Officers.

The Order of the day for the second reading of the Bill to require certain Provincial Officers to make annual Reports to Parliament, being read;

The Honorable Mr. Boulton moved, seconded by Mr. Sherwood of Brockville, and the Question being proposed, That the Bill be now read a second time;

The Honorable Mr. Hincks moved in amendment to the Question, seconded by the Honorable Mr. Price, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Christie, Duchesnay, Dumas, Fergusson, Flint, Fortier, Fournier, Fourquin, Guillet, Hall, Hincks, Jobin, Attorney General LaFontaine, LaTerrière, Lemieux, McConnell, Méthot, Mongenais, Morrison, Notman, Polette, Price, Richards, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(33.)

NAYS.

Messieurs Boulton of NORFOLK, Cameron of CORNWALL, Hopkins, Malloch, Merritt, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, and Smith of FRONTENAC.--(9.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Bill to exempt
Firemen from
serving as
Jurymen.

The Order of the day for the second reading of the Bill to exempt Firemen in Cities, after a certain number of years service as such, from serving as Jurymen, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Weights and
Measures Bill
(L.C.).

The Order of the day for the second reading of the Bill to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, "An Act to amend the Law relative to the inspection of Weights and Measures in Lower Canada,"

being read;

Mr. Cauchon moved, seconded by Mr. Polette, and the Question being proposed, That the Bill be now read a second time;

The Honorable Mr. Hincks moved in amendment to the Question, seconded by the Honorable Mr. Price, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment;--It was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day three months.

Bills of Exchange
and Promissory
Notes Bill (L.C.).

The Order of the day for the second reading of the Bill to amend the Law in force in Lower Canada respecting Bills of Exchange and Promissory Notes, being read;

The Bill was accordingly read a second time.

Mr. Christie moved, seconded by Mr. Sherwood of Brockville, and the Question being put, That the following Clause be added to and make part of the Bill: "And be it enacted, that when the three days of grace, as provided in and by the said

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in part recited Act, shall expire on a Sunday or Holyday, the next succeeding day, not being also a Sunday or Holyday, shall be the last of the three days of grace, any thing in the said Act, or in any usage or custom heretofore, to the contrary notwithstanding;"--It passed in the Negative.

Ordered, That the Bill be engrossed, and read the third time on Monday next.

Tonnage
Duties.

The Order of the day for the House in Committee to consider the expediency of altering the rates of Tonnage imposed on Vessels in certain cases, being read;

Ordered, That the said Order be discharged.

Bill relating to
Depredations &c.
by Raftsmen.

The Order of the day for the House in Committee on the Bill to afford a better remedy to persons suffering from depredations and trespasses committed by Raftsmen, being read;

The House accordingly resolved itself into the said Committee.

Mr. Polette took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Polette reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

Municipal Coun-
cils (U.C.) Inde-
pendence Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act for better securing the independence of Municipal Councils in Upper Canada," being read;

Mr. Morrison moved, seconded by Mr. McFarland, and the Question being proposed, That the Bill be now read a second time;

Mr. Malloch moved in amendment to the Question, seconded by the Honorable Mr. Robinson, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Burritt, Cameron of CORNWALL, Crysler, Fournier, Hall, Hincks, Hopkins, Letellier, Solicitor General Macdonald, Malloch, McConnell, Merritt, Mongenais, Notman, Robinson, and Taché.--(17.)

NAYS.

Messieurs Armstrong, Bouthillier, Cauchon, Chabot, Chauveau, Duchesnay, Fergusson, Flint, Fortier, Fourquin, Guillet, Holmes, LaTerrière, Mackenzie, McFarland, Méthot, Morrison, Polette, Scott of TWO MOUNTAINS, and Smith of WENTWORTH.--(20.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Crysler, Duchesnay, Fergusson, Flint, Fortier, Fourquin, Guillet, Hincks, Holmes, LaTerrière, Solicitor General Macdonald, Mackenzie, McFarland, Méthot, Mongenais, Morrison, Polette, and Scott of TWO MOUNTAINS.--(24.)

NAYS.

Messieurs Burritt, Christie, Fournier, Hall, Hopkins, Letellier, McConnell, Smith of FRONTENAC, and Taché.--(9.)

So it was resolved in the Affirmative.

And it being Five o'clock, Mr. Speaker adjourned the House till Monday next, without putting the Question.

[QUESTION AND ANSWER RE: MR. KAVANAGH AS SUB-COLLECTOR AT GASPE.]²⁰

MR. CHRISTIE rose to enquire of the Hon. Inspector General, whether Mr. Kavanagh were still the Sub-Collector at Gaspé, or had been relieved of that office and named to any other? The reason of his asking the question was that he had learned from unquestionable authority, that this gentleman was actively canvassing the electors of Gaspé, with a view to his return as representative of the County at the next general election. To this of course he (Mr. Christie) would have no objection, it being free to every person who is not by law disqualified to offer himself as a candidate; but he must say that if the gentleman mentioned still held the office of Sub-Collector of Gaspé, which office while he held it, rendered him ineligible to a seat in Parliament, he was forgetting himself and should be told so. It is even said that he is availing himself of his official influence to secure his election; holding out that if he succeeds, it will be agreeable to the Inspector General, the head of his department. Mr. Christie, however, did the Inspector General the justice to believe that he had no participation whatever, and questioned if he even now knew of Mr. Kavanagh's proceedings, and which he felt well assured would not meet with the Inspector General's approval, so long as that gentleman was an officer of his department.²¹

MR. INSP. GEN. HINCKS, in answer, stated that his hon. friend, the member for Gaspé, did him no more than justice in disbelieving that he had any participation whatever, or indeed, knowledge, until now, when he was informed of it for the first time, that Mr. Kavanagh was canvassing at Gaspé as a candidate for the representation of the County, or contemplated anything of the kind. He was still the Sub-Collector there, but had tendered his resignation in expectation of another situation at Montreal, in that branch of the Customs Department which remained under the direction of the Imperial Government. The Inspector-General had no hesitation in saying that if he were canvassing, he was acting improperly; though it may be possible that having tendered his resignation, he may have thought himself free to canvass the electors.²²

MR. CHRISTIE believed that by law no person in the department is eligible to a seat in the Legislature, whether acting in one or the other branch of it. He (Mr. Christie) was informed, however, that Mr. Kavanagh was still acting as Sub-Collector, and it was said he was availing himself of the influence which was his official position gave him to curry favour in certain quarters in a way to cause dissatisfaction in others, towards whom it seems less accommodating, but how truly of the reverse, he could not say.²³

MR. INSP. GEN. HINCKS took the opportunity of referring to what he had said on a previous day, relative to some supposed negotiation. Taking up a paper that morning, he saw an insinuation that when he had alleged that Government had had nothing to do with these negotiations, he had, in fact, screened himself behind the word Government; and that he (Mr. Hincks) had carried on the said negotiations himself. He believed no member in the House would think that he had attempted to screen himself behind a quibble, and he repeated now that the negotiations had reference to only one object--the establishment of a newspaper.²⁴

MR. SHERWOOD expressed himself satisfied with the explanation which the hon. Inspector General had given on the previous evening and never suspected that any person would have said the disavowal was given in a Pickwickian sense. He was convinced that the inspector had formed no combinations such as those specified.²⁵

FOOTNOTES: 9 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 12 August 1851, GLOBE, 12 August 1851, EXAMINER, 13 August 1851, MONTREAL GAZETTE, 14 August 1851, NORTH AMERICAN, 15 August 1851, and PILOT, 16 August 1851.
2. BRITISH COLONIST, 12 August 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. GLOBE, 12 August 1851. The following papers noted in error that the sum of money was £4000: BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, MONTREAL GAZETTE, 14 August 1851, and PILOT, 16 August 1851.
8. GLOBE, 12 August 1851.
9. BRITISH COLONIST, 12 August 1851.
10. MONTREAL GAZETTE, 14 August 1851.
11. BRITISH COLONIST, 12 August 1851.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 12 August 1851, BRITISH COLONIST, 12 August 1851, MONTREAL GAZETTE, 14 August 1851, NORTH AMERICAN, 15 August 1851, and PILOT, 16 August 1851.
21. GLOBE, 12 August 1851.
22. IBID.
23. IBID.
24. IBID.
25. IBID.

MONDAY, 11 AUGUST 1851.

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Petitions
brought up.

THE following Petitions were severally brought up,
and laid on the table:--

By Mr. Bell,--The Petition of the Reverend James C. Muir, and others, Minister, Kirk Session and Congregation of North and South Georgetown, County of Beauharnois, in connexion with the Church of Scotland.

By Mr. Flint,--The Petition of Jonas Canniff and others, Members of the Wesleyan Methodist Church in Belleville.

By Mr. Fergusson,--The Petition of William Crowe, Chairman, and William Stevenson, Secretary, on behalf of a public meeting of the Members and Friends of the Wesleyan Methodist Church of Guelph.

By Mr. Laurin,--The Petition of Jean Baptiste Pâquet and others, Militiamen, who served in the incorporated Militia during the late War with the United States.

Petitions read.

Pursuant to the Order of the day, the following Petition was read:--

Of Robert Beard and others, members of the Fire Brigade, and others, of the City of Toronto; praying for the passing of an Act to exempt Firemen while serving, and after having served as such for seven years, from the payment of Statute Labor Tax, and from serving as Jurors.

Message from
His Excellency.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Halifax and
Quebec Railroad.

ELGIN and KINCARDINE.

The Governor General transmits for the information of the Legislative Assembly, a Copy of a Despatch from the Officer Administering the Government of Nova Scotia, enclosing the Copy of a Report by the Honorable Joseph Howe, of the proceedings of the Delegates on the subject of the Halifax and Quebec Railroad.

Government House,
Toronto, 11th August, 1851.

(Copy.)

Government House,
Halifax, 26th July, 1851.

My Lord,--I have the honor to enclose, for Your Lordship's information, a Copy of a Report just made to me by the Honorable Joseph Howe; and I beg to acquaint Your Lordship that I have, with a view to an early decision upon the policy agreed upon at Toronto, this day dissolved the House of Assembly of this Province.

I have, &c.

(Signed,) JOHN BAZALGETTE,
Administrator.

His Excellency the Right Honorable
The Earl of Elgin and Kincardine,
&c. &c. &c.

DELEGATION TO CANADA.

Mr. Howe's Report.

Amherst, July 20th, 1851.

SIR,--The negotiations which I was charged to conduct with the Governments of Canada and New Brunswick having been brought to a close, in a final Conference held with the Delegates from the latter Province this afternoon, I lose no time in

submitting, for the information of His Honor the Administrator of the Government,

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a Report of my proceedings under the Commission and Instructions with which I was honored by His Excellency Sir John Harvey.

You are aware that His Excellency Sir Edmund Head had selected the Honorable Edward B. Chandler to represent the Government of New Brunswick, at Toronto, and that it had been arranged that I was to meet him at Dorchester on the 1st of June.

As I had to pass through the County of Cumberland, where the Bill, pressed so earnestly on the Legislature at its last Session, originated; and as it was more than probable that public opinion in New Brunswick would be largely influenced by the decision of that County against the measure, and in favor of the proposition made by Her Majesty's Government, I deemed it to consist with my duty to invite, in the Shire Town, the most ample discussion of the whole subject. I therefore addressed a Letter to the Custos Rotulorum of Cumberland, acquainting him with my intention to attend any meeting that might be called for that purpose.

On reaching Amherst I found that a meeting had been convened, and that a very numerous and respectable body of the leading men of Cumberland crowded the Court House. The result of an animated discussion, which extended over several hours, was an almost unanimous decision to sustain the views and policy of the Government.

At Amherst I received invitations to attend two meetings in the County of Westmoreland, New Brunswick, and another in the County of Kent; the former I accepted, as the places named lay upon my route--the latter I was compelled to decline. The unanimity of feeling displayed at Dorchester, and at the Bend of Peticodiac, convinced me that the rural population of New Brunswick only required information; and that, when the subject came to be fully discussed, their support would be given to any fair modification of the terms which the Legislature had rejected.

An experiment on the City of St. John appeared to offer less assurance of success. The office-bearers and agents of the Portland Company resided there, and formed, with their friends, clients, and stockholders, an organized combination. A large portion of the press had taken its tone from these gentlemen; and, for many weeks, the propositions contained in Mr. Hawes's letter, and the general policy of this Government, had been discussed in a spirit, which was certainly not calculated to ensure me a very cordial reception. When I entered the City, I was assured that there would not be three exceptions to the unanimity with which the offers of Her Majesty's Government would be rejected and condemned. The result of the discussion which ensued, at a public meeting to which I was invited by the Citizens, may be gathered from the altered tone of a very influential portion of the press, and from the fact that the promoters of the Portland Company have postponed further proceedings until the 20th of August. "It is evident," says the Editor of the "Freeman," (a journal originally hostile--still doubtful, but faithfully interpreting the prevailing sentiment of the community,) "that the public mind is excited by the magnificent proposal of Earl Grey, as interpreted by Mr. Howe and others."

Having attended three meetings within His Excellency's Government, I deemed it but respectful to proceed to Fredericton, and explain to Sir Edmund Head the reasons by which I had been influenced, and the general views which I entertained. These explanations were regarded as satisfactory, and I received from His Excellency very gratifying marks of confidence and consideration.

On reaching St. Andrews, on my way to the United States, I was met by a deputation, with a request that I would address a public meeting at that place on the following day. Though apprehensive that the interest which the people of St. Andrews naturally felt in the success of their own Railroad, might place them in hostility to the inter-colonial lines, I consented to attend the meeting, and received, at its close, the most satisfactory assurances, from a very large assemblage of all ranks

and classes, that no mere local interests, or predilections, would induce St. Andrews to place herself in opposition to a great scheme of inter-colonial policy and improvement.

The charge having been frequently made, that the Government of Nova Scotia had broken faith with the Portland Convention, and much pains having been taken to persuade the people of that City that the North American and European line had been abandoned, it appeared very desirable that the conduct of this Government should be vindicated, and its policy clearly explained to the leading men of this friendly and very interesting community. Mr. Chandler and myself spent nearly a day at Portland, on our way to Canada. John A. Poor, Esquire, one of the most active members of the Convention, rejoined us at Toronto, and we exchanged frank explanations with, and received much courtesy from that gentleman and his friends, on our return. Misconceptions, previously entertained, were dispelled by these friendly conferences. Mr. Hawes's letter of the 10th March--Earl Grey's Despatch of the 14th, addressed to the Governor General, with copious extracts from the correspondence between the Imperial and Colonial Governments, have been published and extensively circulated in the State of Maine. Assuming that the policy explained to them will be acted upon in good faith, and "that the Provinces of New Brunswick and Nova Scotia will, in some mode or other, most agreeable to themselves, carry out the plan of a continuous line of Railway from the boundary of Maine to the eastern shores of Nova Scotia," all opposition to our policy has been wisely withdrawn by the people of Portland, who are now appealing to the Legislature and Citizens of Maine, to come promptly forward and supply the means to complete that portion of the line which is to extend from Bangor to the boundary of New Brunswick.

Mr. Chandler and myself reached Toronto on the 15th June, and, during our stay at the seat of Government, received from His Excellency the Governor General--from the Speakers of the two Houses of Parliament--from the Members of the Administration,--and from the Mayor and Citizens of Toronto generally, such marks of distinction and courtesy as assured us of the very high estimation in which the Provinces we represented were held.

Invited to take seats in Council on the 16th, we were at once assured of the cordial co-operation of the Government of Canada--of the readiness of the Administration to accept the terms offered by the Imperial Government, and to unite with Nova Scotia in meeting the difficulties presented in New Brunswick, by such fair modification of those terms as would enable Mr. Chandler to secure the co-operation of that Province. It is due to that gentleman to state, that he made no importunate demands--explained the position of his Government, and the prevailing sentiment of the country, frankly, and then left it to the discretion and good feeling of the Conference to determine to what extent the peculiar aspects of New Brunswick should be considered, and aid given to that Province, in the construction of one of her great lines, to enable her to complete them both.

If New Brunswick maintained an antagonistic position, it was clear that neither the line to the St. Lawrence nor that to Portland could be accomplished; the proposition of the British Government would in that case have to be rejected, and

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the three Provinces be driven, in bad temper, and at ruinous rates on interest, to carry on their internal improvements without mutual sympathy or co-operation.

To obviate this state of things appeared to all parties most desirable; and, at length, Mr. Chandler was empowered to invite the co-operation of his Government, upon these terms, it being understood that the Governments of Canada and Nova Scotia were to be bound by them if New Brunswick acquiesced:

That the line from Halifax to Quebec should be made, on the joint account and at the mutual risk of the three Provinces, ten miles of Crown Land along the line being vested in a joint Commission, and the proceeds appropriated towards the payment of the principal and interest of the sum required:

That New Brunswick should construct the Portland line, with the funds advanced by the British Government, at her own risk:

That Canada should, at her own risk, complete the line from Quebec to Montreal, it being understood that any saving which could be effected, within the limits of the sum which the British Government are prepared to advance, should be appropriated to an extension of the line above Montreal:

That on the debt contracted, on the joint account of the three Provinces, being repaid, each should own the line within its own territory.

It was also understood that Canada would withdraw the general Guarantee, offered for the construction of Railways in any direction, and that her resources should be concentrated upon the Main Trunk Line, with a view to an early completion of a great inter-colonial Highway, on British Territory, from Halifax to Hamilton: from whence to Windsor, opposite to Detroit, the Great Western Company of Canada have a line already in course of construction.

This policy having been arranged, it became very desirable that Mr. Chandler should return promptly to New Brunswick, to submit it to his colleagues--and to assure himself that, in the event of the Administration assuming the responsibility which it involved, they would be sustained by a majority of the Legislature. Allowing a sufficient time for a deliberate view of the whole ground, and for a final decision, a meeting was arranged with Mr. Chandler at Dorchester, on my return. I rejoined him this afternoon, and was happy to receive from him the assurance that the Government of New Brunswick will be prepared to submit the policy agreed upon to the Legislature of that province, with the whole weight of its influence, so soon as the Government of Nova Scotia intimates that it is prepared to co-operate on the terms proposed.

The final adoption of this great scheme of inter-colonial policy now rests with the people of Nova Scotia, to whom, it is probable, that it will be submitted by a dissolution of the Assembly at an early day. I have pledged the Government to it beyond recall. I have staked, upon the generous and enlightened appreciation of their true interests by my countrymen, all that a public man holds dear. Having done my best to elevate Nova Scotia in the eyes of Europe, and of the surrounding Colonies, I have no apprehension that she will repudiate the pledges which I have given.

Her clear interest demands the prompt acceptance of the proposition:--

1st. Because it secures to her, within very few years, a Railway communication of 1400 miles, extending through the noble territory of which she forms the frontage, and with which her commercial, social and political relations, must be very important in all time to come.

2d. Because it gives to her, almost at once, connection with 8000 miles of Railway lines, already formed, in the United States,--makes her chief seaport the terminus for Ocean Steam Navigation, and her territory the great Highway of communication between America and Europe.

3d. Because, on the extinction of the debt, she will possess a Road with which there can be no competition within the Province--a Road towards which two great streams of traffic must perpetually converge, and the tolls upon which must become a source of revenue, increasing with each succeeding year.

4th. Because the completion of these great lines of communication will give to all the North American Provinces a degree of internal strength and security, and consideration abroad, which will far transcend any pecuniary hazards which may be incurred.

5th. Because the completion of these lines will draw into the Province much of the surplus labor and capital of Europe.

6th. Because, the line from the Seaboard once completed to Canada, there cannot be a doubt that it will soon be extended into the fertile and almost boundless country beyond; being followed, at every advance, by a stream of Emigration, and ultimately, and in our own time, reaching the shores of the Pacific.

It may be argued that we ought not to risk anything beyond the limits of our own frontier. But I regard the risk as involving a very slight liability beyond what we have already cheerfully assumed.

All our calculations have been based upon the presumption that our Roads will cost £7000 currency, per mile. From the best information which we could obtain in Canada and in the United States, and we gathered the opinions of the chief promoters of the Vermont, Great Western, Portland, and St. Andrews Roads, there is every reason to believe, if the Provinces avail themselves of the most modern experience, and of the present low price of iron, that, with the money in hand, and large contracts to offer, the work need not cost much more than £5000 currency, per mile. Should this be the case, the sum which was originally contemplated will probably cover the whole expenditure for which Nova Scotia will be liable; and, if it does not, with her present low Tariff, and annually increasing consumption, the deficiency may be soon supplied.

But, after a careful examination of the country traversed by American and Canadian Railroads, and of the general testimony borne by their promoters and officers, that in all cases the money with which they have been constructed has cost from 7 to 12 per cent, I have brought my mind to the conclusion that a Railway built with money at $3\frac{1}{2}$ per cent. will pay almost immediately, even if made through a wilderness, provided the land be good, water-power and wood abundant; and provided that there are formed settlements at either side, to furnish pioneers, and local traffic with them, when they are scattered along the line. We have other resources, beyond our own limits, in associations of the industrious and enterprising, who are prepared to come into the Provinces the instant these great works are commenced, and who, within the limits at least of the lands dedicated to this enterprise, will soon form a continuous street, through that portion of the territory between our frontier and the St. Lawrence, which appears to present any really serious hazard.

In estimating the relative risks and advantages which this scheme involves, it should also be borne in mind, that while Nova Scotia has but little Crown Land left along her portion of the line (and this has been frankly explained,) the Lands which Canada and New Brunswick are prepared to grant are extensive and valuable. They will probably amount to 3,000,000 of acres, which, if sold at 5s. an acre, (and with a Railroad running through them they will soon command a much higher

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price,) would form a fund out of which to pay the interest on the whole capital expended for the first three or four years.

I cannot close this Report without some notice of the very enthusiastic and honorable treatment that I received during short visits to Quebec and Montreal. In both Cities, men the most distinguished for social positions, commercial and intellectual activity, and commanding influence, vied with each other in recognizing the importance and value of the maritime Provinces. Among all ranks and classes the Railroads seemed to be regarded as indispensable agencies by which North Americans would be drawn into a common brotherhood -- inspired with higher hopes -- and ultimately elevated, by some form of political association, to that position, which, when these great works have prepared the way for union, our half of this Continent may fairly claim in the estimation of the world.

I have the honor to be,

Sir,

Your very obedient Servant,

JOSEPH HOWE.

Wm. H. Keating, Esquire.

Ordered, That the said Message, with the accompanying documents, be printed for the use of the Members of this House.

Medical Profession Bill
(L.C.).

Mr. Sanborn reported from the Select Committee on the Bill to amend the "Act incorporating the Members of the Medical Profession in Lower Canada, and to regulate the study and practice of Physic and Surgery therein," to afford relief to certain persons who were in practice as Physicians and Surgeons in this Province at the time when the said Act became Law, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Wednesday next.

On motion of Mr. Flint, seconded by Mr. Smith of Durham,

Bill to restore rights to certain parties.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to define and restore certain rights to parties therein mentioned," be read a second time to-morrow.

Negotiation of Loans.

Ordered, That the Return relative to the negotiation of future Loans, which was presented on Monday last, be committed to the Committee of the whole House to consider a series of proposed Resolutions on the subject of the construction of a Trunk Line of Railroad through the Province, and the expediency of amending the Act for affording the guarantee of the Province to Railroad Companies.

Public Business.

Mr. Letellier moved, seconded by the Honorable Mr. Hincks, and the Question being put, That leave be now granted to make a Motion, of which a Notice has been given, to change the hours of the sitting of this House until the end of the Session,¹

MR. LETELLIER moved that for the remainder of the Session the House sit twice a day, except on Tuesdays and Fridays, viz: from 10, A.M. until 2 P.M., and from 4 P.M. until a motion for adjournment shall be carried.²

MR. BADGLEY opposed the motion on the ground that if it were carried, the Railroad Committee could not get through its business.³

A discussion [ensued]⁴.

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Bouthillier, Cartier, Dickson, Fergusson, Flint, Fourquin, Guillet, Hall, Hopkins, LaTerrière, Laurin, Letellier, Solicitor General Macdonald, McFarland, Merritt, Notman, Prince, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, and Smith of WENTWORTH.--(26.)

NAYS.

Messieurs Baldwin, Bell, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Chabot, Christie, Crysler, Solicitor General Drummond, Duchesnay, Dumas, Fortier, Fournier, Jobin, Lacoste, Attorney General LaFontaine, Lemieux, Mackenzie, Malloch, McConnell, McLean, Méthot, Meyers, Morrison, Polette, Price, Robinson, Ross, Sanborn, Sauvageau, Sherwood of BROCKVILLE, Taché, and Viger.--(33.)

So it passed in the Negative.

Tavern Licenses Laws (U.C.) Amend-
ment Bill.

Ordered, That Mr. Solicitor General Macdonald have leave to bring in a Bill to explain and amend the Act of the last Session, intituled, "An Act to amend the Laws relative to Tavern Licenses in Upper Canada."

He accordingly presented the said Bill to the House, and the same was received

and read for the first time; and ordered to be read a second time on Wednesday next.

Railways General
Clauses Bill.

The Order of the day for the third reading of the engrossed Bill to consolidate and regulate the General Clauses relating to Railways, being read;

The Honorable Mr. Price moved, seconded by the Honorable Mr. Baldwin, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Cartier, Cayley, Chabot, Christie, Crysler, Dickson, Duchesnay, Dumas, Fergusson, Flint, Fortier, Fournier, Fourquin, Guillet, Hall, Hopkins, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Malloch, McConnell, McFarland, McLean, Merritt, Méthot, Meyers, Morrison, Notman, Polette, Price, Prince, Richards, Robinson, Ross, Sinborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.
--(54.)

NAY.

Mr. Mackenzie.--(1.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Montreal and
Kingston Railway
Company Bill.

An engrossed Bill to incorporate the Montreal and Kingston Railway Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cartier do carry the Bill to the Legislative Council, and desire their concurrence.

Kingston and
Toronto Junction
Railroad Com-
pany Bill.

An engrossed Bill to incorporate the Kingston and Toronto Junction Railroad Company, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Kingston and Toronto Railway Company."

Ordered, That Mr. Smith of Durham do carry the Bill to the Legislative Council, and desire their concurrence.

Witnesses
Attendance Bill.

The Order of the day for the third reading of the engrossed Bill to authorize and enforce the attendance of Witnesses in civil cases from any part of this Province before the Courts of Superior Jurisdiction, being read;

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Mr. Sherwood of Brockville moved, seconded by the Honorable Mr. Cayley, and the Question being proposed, That the Bill be now read the third time;

Mr. Richards moved in amendment to the Question, seconded by Mr. Smith of Durham, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment, the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Bouthillier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Hall, Hincks, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Méthot, Meyers, Mon-genais, Polette, Price, Richards, Ross, Smith of DURHAM, Taché, and Viger.--(35.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cayley, Christie, Crysler, Dickson, Fergusson, Flint, Holmes, Hopkins, Johnson, Lyon, Malloch, McConnell, McFarland, McLean, Merritt, Morrison, Notman, Prince, Robinson, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(33.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read the third time this day three months.

Parishes Erection
Bill (L.C.).

An engrossed Bill to provide for the erection of Parishes for Civil purposes only in certain parts of Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to provide for the erection of Parishes for Civil purposes only in the Seigniori of Argenteuil, in Lower Canada."

Ordered, That Mr. Scott of Two Mountains do carry the Bill to the Legislative Council, and desire there concurrence.

Replevin Law
Amendment Bill.

An engrossed Bill to amend and extend the Law relating to the remedy by Replevin in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Lyon do carry the Bill to the Legislative Council, and desire their concurrence.

Bills of Exchange
and Promissory
Notes Bill (L.C.).

An engrossed Bill to amend the Law in force in Lower Canada respecting Bills of Exchange and Promissory Notes, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Law in Lower Canada respecting Bills of Exchange and Promissory Notes."

Ordered, That Mr. Holmes do carry the Bill to the Legislative Council, and desire their concurrence.

Assessment Law
(U.C.) Amend-
ment Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to explain and amend the Assessment Law of Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Shipping of
Seamen Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to amend the Act for regulating the Shipping of Seamen.

He accordingly presented the said Bill to the House, and same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Bill relating to
the Election of
Members.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to amend the Laws regulating the Election of Members in certain Counties in so far as relates to the return of Writs.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Chancery Decrees
and Orders Bill
(U.C.).

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to confirm Decrees and Orders, and other proceedings of the Court of Chancery of Upper Canada in certain cases, being read;

Mr. Prince moved, seconded by Mr. Dickson, and the Question being proposed, That the Report be now received;⁵

MR. AT. GEN. BALDWIN opposed the bill⁶.

(260)

The Honorable Mr. Baldwin moved in amendment to the Question, seconded by Mr. Solicitor General Macdonald, That the word "now" be left out, and the words "this day three months" added at the end thereof;

MR. J. CAMERON and MR. H. BOULTON also spoke against the measure.⁷

COL. PRINCE (its author) explained its nature, and asserted its desirableness. The debate was technical. In the conclusion of his remarks, Mr. Prince said, if any thing at all would induce him to undergo the toil, turmoil and vexation of coming again to parliament, and taking his place in a new parliament it would be that he might have an opportunity of giving his vote to destroy this Courtroom and branch.⁸

(260)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cayley, Chauveau, Crysler, Fournier, Fourquin, Gillet, Hincks, Jobin, Laurin, Solicitor General Macdonald, McLean, Meyers, Mongenais, Polette, Scott of BYTOWN, Seymour, and Stevenson.--(23.)

NAYS.

Messieurs Badgley, Bouthillier, Chabot, Christie, Dickson, Duchesnay, Fergusson, Hopkins, LaTerrière, Lemieux, Letellier, Mackenzie, Malloch, McConnell, McFarland, Merritt, Méthot, Notman, Prince, Robinson, Sanborn, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, and Smith of DURHAM.--(24.)

So it passed in the Negative.

And the Question being again proposed, That the Report be now received;

The Honorable Mr. Baldwin moved in amendment to the Question, seconded by Mr. Solicitor General Macdonald, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be recommitted to a Committee of the whole House, for to-morrow" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Cameron

of CORNWALL, Cartier, Cayley, Chauveau, Crysler, Dumas, Fournier, Fourquin, Guillet, Jobin, Lacoste, Laurin, Solicitor General Macdonald, McLean, Méthot, Meyers, Mongenais, Polette, Scott of BYTOWN, Seymour, Stevenson, and Viger.--(26.)

NAYS.

Messieurs Bouthillier, Chabot, Christie, Dickson, Duchesnay, Fergusson, Hopkins, LaTerrière, Lemieux, Letellier, Mackenzie, Malloch, McConnell, McFarland, Merritt, Notman, Prince, Robinson, Sanborn, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of DURHAM, and Taché.--(23.)

So it was resolved in the Affirmative,

Then the main Question, so amended, being put;

(261)

Ordered, That the Bill be recommitted to a Committee of the whole House, for to-morrow.

St. Lawrence
School of
Medicine Bill.

The Honorable Mr. Merritt reported the Bill to incorporate the St. Lawrence School of Medicine of Montreal; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Bill relating
to depredations
&c. by Raftsmen.

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to afford a better remedy to persons suffering from depredations and trespasses committed by Raftsmen, being read;

Mr. Scott of Two Mountains moved, seconded by Mr. Bouthillier, and the Question being proposed, That the Report be now received;

Mr. Malloch moved in amendment to the Question, seconded by the Honorable Mr. Robinson, That the word "now" be left out, and the words "this day three months" added at the end thereof;⁹

MR. W. SCOTT asked to hear some reason for this motion.¹⁰ [He] said that the hon. member ought to give the House some reason for throwing out the measure at this stage. It was a bill called for by the people for a number of years.¹¹

MR. FLINT objected to the bill,¹² [and] said it was easy to give a reason.¹³ He was as anxious to protect persons against depredations as any man in the country¹⁴. The bill provided that if any depredations were committed on land by raftsmen, the owner of the raft, though not present, should be made responsible for anything they did; and if the raft were two miles away from the place where the depredation took place, that fact should serve as a notice, and enable the party to begin his action.¹⁵ It would be unfair to make the lumberer accountable for the depredations of his men, as was proposed in the bill, as these depredations might be more than their wages amounted to.¹⁶

MR. ROBINSON did not see that the bill would be of any advantage to the country.¹⁷

(261)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Cartier, Cayley, Crysler, Dickson, Fergusson, Flint, Fortier, Fournier, Holmes, Laurin, Letellier, Malloch, McConnell, McLean, Meyers, Prince, Robinson, Scott of BYTOWN, Seymour, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, and Taché.--(24.)

NAYS.

Messieurs Badgley, Bouthillier, Fourquin, Guillet, Hincks, Lacoste, LaTerrière,

Solicitor General Macdonald, Mackenzie, McFarland, Mongenais, Morrison, Polette, and Scott of TWO MOUNTAINS.--(14.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Report be received this day three months.

Municipal Councils
(U.C.) Independ-
dence Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act for better securing the independence of Municipal Councils in Upper Canada," being read;

The Bill was accordingly read a second time.

Mr. Morrison moved, seconded by Mr. McFarland, and the Question being proposed, That the Bill be read the third time to-morrow;

Mr. Malloch moved in amendment to the Question, seconded by the Honorable Mr. Robinson, That the word "to-morrow" be left out, and the words "this day three months" added instead thereof;¹⁸

MR. H. SMITH (Frontenac) said he would vote against the bill, because it would just go to prescribe a certain description of people who were the best qualified to act in the capacity of Councillors.¹⁹

MR. H. SHERWOOD held as a principle that people have a right to elect whom they please to represent them, if they believe their abilities and character are such as to carry out the views. The inhabitants should be under no restriction at all, and if they think the Clerk of the Peace is a proper person for an alderman, they ought to elect him.²⁰

(261)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Christie, Cryslar, Dickson, Fortier, Fourquin, Lacoste, LaTerrière, Laurin, Letellier, Solicitor General Macdonald, Malloch, McConnell, McLean, Prince, Robinson, Auburn, Seymour, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, and Taché.--(25.)

NAYS.

Messieurs Cartier, Chauveau, Fergusson, Flint, Guillet, Holmes, Mackenzie, McFarland, Merritt, Morrison, Polette, Scott of BYTOWN, and Viger.--(13.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read the third time this day three months.

School Acts (L.C.)
Amendment Bill.

The Order of the day for the second reading of the Bill to amend and explain the School Acts in force in Lower Canada, being read;

Ordered, That the Bill be read a second time on Saturday next.

MR. BADGLEY²¹ moved the House into Committee on the Temporalities of the Church of England in the diocese of Montreal Bill.²²

(261)

Montreal Diocese
Temporalities
Bill.

The Order of the day for the House in Committee on the Bill to make provision for the management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other purposes therein mentioned, being read;

The House accordingly resolved itself into the said Committee.

Mr. Fergusson took the Chair of the Committee;

After the reading of the first clause, MR. MORRISON moved that the committee do now rise.²³

The motion was lost, and MR. BADGLEY proceeded to read the clauses amidst some ejaculatory remarks from some of the oppositions members,-- such as New combinations, Church and State, &c., &c.²⁴

The bill having then passed through Committee²⁵, the Committee rose²⁶.

(261)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Fergusson reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

The Honorable Mr. Badgley moved, seconded by Mr. Smith of Frontenac, and the Question being put, That the Report be now received;

MR. MACKENZIE objected to the recognition of the report to accept the same terms we reported on second reading of the bill²⁷. [He] wished to know what he was voting for. He had gone to the printer for a copy of the amended bill but it was not printed. He did not wish to oppose unnecessarily, but it was of importance to know what the amendments were.²⁸

MR. FLINT followed ridiculing Mr. Mackenzie's argument.²⁹

MR. MORRISON had not seen the amendments and considered that the hon. member should delay the report for another day.³⁰ [He] expressed his desire to record his vote against the bill in every stage, as he believed it would be productive of the very worst effects upon the country, and also upon the Church of England.³¹

MR. BADGLEY said the Bill with the amendment had been lying upon the table for some time.³²

MR. MERRITT thought that as a matter of courtesy to any hon. member, who had stated that he had not seen the amendment, the report might be delayed for another day.³³

COL. PRINCE contended that the Church of England should be allowed to manage their own affairs.³⁴

(261)

the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Boulton of NORFOLK, Boulton of TORONTO, Chabot, Chauveau, Christie, Crysler, Dickson, Solicitor General Drummond, Dumas, Flint, Fortier, Fourquin, Holmes, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Malloch, Merritt, Polette, Price, Prince, Robinson, Seymour, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, Taché, and Viger.--(31.)

NAYS.

Messieurs Fergusson, Mackenzie, McFarland, Morrison, Notman, and Scott of BYTOWN.--(6.)

So it was resolved in the Affirmative.

Mr. Fergusson reported the Bill accordingly.

The Honorable Mr. Badgley moved, seconded by the Honorable Mr. Cayley, and the Question being proposed, That the Bill be engrossed, and read the third time to-morrow;

MR. MACKENZIE said he would move the six months hoist, which he did after a speech of some length on the principles of State Churches, contending that this principle had reduced the people of Rome from the bravest in the world into a set of miserable slaves.³⁵

MR. MORRISON seconded the motion. He professed to have great regard for the Church of England.³⁶

(261)

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Morrison, That the word "to-morrow" be left out, and the words "this day six months" added instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Hall, Hopkins, Mackenzie, McFarland, Morrison, Notman, and Smith of DURHAM.--(8.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Cartier, Cayley, Chabot, Chauveau, Dickson, Duchesnay, Fergusson, Fortier, Fourquin, Guy, Guillet, Holmes, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Laurin, Letellier, Malloch, McConnell, McLean, Merritt, Métiot, Meyers, Polette, Price, Prince, Robinson, Ross, Sauvageau, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Taché, and Viger.--(40.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Cartier, Cayley, Chabot, Chauveau, Dickson, Duchesnay, Fergusson, Fortier, Fourquin, Guy, Guillet, Holmes, Jobin, Johnson, Attorney General LaFontaine, LaTerrière, Laurin, Letellier, Malloch, McConnell, McLean, Merritt, Métiot, Meyers, Polette, Price, Prince, Robinson, Ross, Sauvageau, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Taché, and Viger.--(40.)

(262)

NAYS.

Messieurs Bell, Hall, Hopkins, Mackenzie, McFarland, Morrison, Notman, and Smith of DURHAM.--(8.)

So it was resolved in the Affirmative.

On³⁷ motion of the Hon. MR. BADGLEY the House went into Committee on the bill to establish a Church Society of the Church of England in each Diocese in Lower Canada.³⁸

Church of Eng-
land Society
Bill (L.C.).

The Order of the day for the House in Committee on the Bill to provide for the establishment of a Church Society of the United Church of England and Ireland, in each Diocese of that Church in Lower Canada, and for other purposes connected with the recent division of the Diocese of Quebec, being read;

The House accordingly resolved itself into the said Committee.

Mr. McFarland took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. McFarland reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

The Honorable Mr. Badgley moved, seconded by Mr. Boulton of Toronto, and the Question being proposed, That the Bill be engrossed, and read the third time to-morrow.

MR. MACKENZIE moved the six months hoist to the motion for its third reading to-morrow. He said it was no use to make a speech as he might talk until dooms-day without changing one vote.³⁹

(262)

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. McFarland, That the word "to-morrow" be left out, and the words "this day six months" added instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Hall, Hopkins, Mackenzie, McFarland, Morrison, Notman, and Smith of DURHAM.--(7.)

NAYS.

Messieurs Armstrong, Badgley, Boulton of TORONTO, Bouthillier, Cartier, Cayley, Chabot, Chauveau, Christie, Dickson, Duchesnay, Flint, Fournier, Fourquin, Gugy, Guillet, Jobin, Johnson, Attorney General LaFontaine, Laurin, Letellier, McConnell, McLean, Méthot, Meyers, Polette, Prince, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, and Viger.--(34.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of TORONTO, Bouthillier, Cartier, Cayley, Chabot, Chauveau, Christie, Dickson, Duchesnay, Flint, Fournier, Fourquin, Gugy, Guillet, Jobin, Johnson, Attorney General LaFontaine, Laurin, Letellier, McConnell, McLean, Méthot, Meyers, Polette, Prince, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, and Viger.--(34.)

NAYS.

Messieurs Hall, Hopkins, Mackenzie, McFarland, Morrison, Notman, and Smith of DURHAM.--(7.)

So it was resolved in the Affirmative.

On motion of MR. COM. CR. LANDS PRICE⁴⁰ the House went into Committee on the Bill to authorize the Trustees of the Toronto Burying ground to acquire an additional lot of land.⁴¹

(262)

Toronto General
Burying Ground
Bill.

The Order of the day for the House in Committee on the Bill to authorize the Trustees of the Toronto General Burying Ground to acquire an additional lot of land, being read;

The House accordingly resolved itself into the said Committee.

Mr. Sherwood of Brockville took the Chair of the Committee;

MR. MORRISON objected to the bill on various grounds. He contended that the Trustees should be tied down to purchases of land in some particular place, and not be left to purchase where they choose. This was necessary to prevent the possibility of a nuisance. He moved that the Committee do rise.⁴²

MR. H. SHERWOOD supported the bill.⁴³

COL. PRINCE did the same -- admitting that if characteristics were obnoxious to those residing in their vicinity, their managers or proprietors might be proceeded against, and the nuisance if so be abated; and for this reason he could not concur in the amendment.⁴⁴

After a conversational discussion⁴⁵ [and] remarks by MR. AT. GEN BALDWIN and MR. W. BOULTON, Mr. Morrison's motion was negatived, and the bill passed through committee with amendments⁴⁶ and [was] reported.⁴⁷

(262)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sherwood of Brockville reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Sherwood of Brockville reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Maskinongé
Common Bill.

The Order of the day for the House in Committee on the Bill to revive and amend the Act relating to the Common of Maskinongé, being read;

The House accordingly resolved itself into the said Committee.

Mr. Cauchon took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Cauchon reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Yamaska
Common Bill.

The Order of the day for the House in Committee on the Bill to revive the Act authorizing the Inhabitants of the Seignior of Yamaska to regulate the Common of the said

Seignior, being read;

The House accordingly resolved itself into the said Committee.

Mr. Méthot took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Méthot reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Méthot reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

MR. W. BOULTON⁴⁸ moved the second reading of the bill to exempt the Proprietors of Newspapers from payment of postage in certain cases.⁴⁹

Newspapers Post-
age Exemption
Bill.

The Order of the day for the second reading of the Bill to exempt Proprietors of Newspapers from the payment of Postage in certain cases, being read;

Mr. Boulton of Toronto moved, seconded by Mr. Stevenson, and the Question being proposed, That the Bill be now read a second time;

MR. W. BOULTON observed that great complaints existed relative to the publishing of the statutes; and⁵⁰ [his] proposal was, that newspaper editors should publish gratuitously the public statutes -- and that, in consideration of this, they should enjoy the proposed exemption, during the time of that publication.⁵¹

MR. INSP. GEN. HINCKS did not think so soon after the Postal Act had come into operation, that any change should be made.⁵² The Post Office had been too short a time under Provincial management, to enable us to know whether it would involve any charge on the consolidated revenue. It would therefore be unwise to make any experiment of this kind.⁵³ They should first see whether the Post Office would cause a charge.⁵⁴ Besides, he was at a loss to know why newspapers should be

carried free of charge.⁵⁵ He opposed the principle of the Bill; and thought a better plan would be to let those papers go free which would publish the advertisements of the Government free of postage. He moved the second reading this day six months.⁵⁶

(262)

The Honorable Mr. Hincks moved in amendment to the Question, seconded by the Honorable Mr. Price, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. MACKENZIE reminded the Inspector General that the other day he passed a bill to benefit bankers, although he had never been a banker; why, then, had he no regard for this fraternity of which he was once a member? He (Mr. McK.) had great faith in the work that newspapers perform, and would cheerfully accord to them such a privilege as was now proposed.⁵⁷ [He] did not see why Newspapers should not go free of postage at any rate, as was the case in the Sister Provinces of New Brunswick and Nova Scotia. He wished to see newspapers as widely circulated as possible, as the worst of them did good, like the thieves lantern which gave more light than was intended.⁵⁸

After a few words the amendment was carried⁵⁹.

(262)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bell, Cartier, Cauchon, Chabot, Chauveau, Christie, Crysler, Solicitor General Drummond, Dumas, Flint, Fournier, Guillet, Hall, Hincks, Holmes, Johnson, LaTerrière, Laurin, Solicitor General Macdonald, McConnell, McFarland, Méthot, Meyers, Notman, Ross, Sanborn, Sauvageau, and Scott of BYTOWN.--(29.)

NAYS.

Messieurs Armstrong, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Dickson, Fergusson, Fortier, Hopkins, Letellier, Lyon, Mackenzie, Malloch, McLean, Scott of TWO MOUNTAINS, Seymour, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, and Viger.--(21.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

*Fort Erie and
Buffalo Suspension
Bridge Bill.*

*The Order of the day for the House in Committee on the
Bill to incorporate the Fort Erie and Buffalo Suspension
Bridge Company, being read;*

*The House accordingly resolved itself into the said
Committee.*

(263)

*Mr. Burritt took the Chair of the Committee; and after some time spent therein,
Mr. Speaker resumed the Chair;*

*And Mr. Burritt reported, That the Committee had gone through the Bill, and
made amendments thereunto.*

Ordered, That the Report be received to-morrow.

*St. Johns Church
(Peterborough)
Endowment Bill.*

*The Order of the day for the House in Committee on the
Bill to provide for the sale of a portion of the endowment
of St. John's Church in the Town of Peterborough, being read;*

*The House accordingly resolved itself into the said
Committee.*

Mr. Letellier took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Letellier reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

*Mr. Hall moved, seconded by Mr. Solicitor General Macdonald, and the Question being proposed, That the Report be now received;*⁶⁰

MR. NOTMAN declared his intention to vote against the bill, which ought not to pass in the present state of public affairs. We ought not to legislate to give away property belonging to the people of Canada, to persons who have no right, as individuals, to the Clergy Reserves or Rectories⁶¹ of this country. Let any one read the preamble of the bill, and he would find it was stated⁶² that it would be advantageous for the best interest of the rectory in question, as well as to the creditors of the said church⁶³ that this bill should be past [sic].⁶⁴ If a portion of the land belonging to the church were sold, in order to pay off the debts incurred in building that edifice⁶⁵, was that right? Clearly it was not; besides the validity of these endowments were to be tested by an action in the law courts, was the House then to assume their legality before hand? But he was told there was a clause in the bill, which declared that it should not influence the validity of these titles.⁶⁶ Suppose the patents of the rectories be found valid, would it be right if, so far as this land was concerned, the title was by this bill placed beyond dispute? Or would it be just to innocent purchasers if it afterwards appeared that no good title could be conveyed to them?⁶⁷

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Mr. Notman moved in amendment to the Question, seconded by Mr. Flint, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. SOL. GEN. MACDONALD said he thought this property could not be better applied than to pay the debts due to honest mechanics.⁶⁸ The bill was intended to perform a single act of justice to the creditors of this church, and to relieve the incumbent and church wardens from liabilities which they ought not to be called upon to bear.⁶⁹ Besides this the land in question had belonged to the Church of England⁷⁰ and the church had been built⁷¹ long⁷² before the Rectories were established, and could not therefore be classed with the ordinary Rectory Lands.⁷³

MR. J. SMITH (Durham) said, this Rectory and this Land stood precisely on the same footing as other Rectories; and it would be improper if a portion of this endowment were disposed of absolutely, and put beyond the control of the Church.⁷⁴ [He] said that the incumbent, in this case, had only a life interest in it, it was therefore evidently wrong to alienate it entirely. Besides, part of the land had been let on building leases, and houses erected thereon. The proprietor of these houses would, notwithstanding the right of pre-emption given them by the bill, suffer much by this.⁷⁵

After a few words by MR. FOURNIER, who complained of the renewal of the discussion on a subject which had been already determined, the House divided on the amendment.⁷⁶

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Flint, Mackenzie, McFarland, Notman, and Smith of DURHAM.--(5.)

NAYS.

Messieurs Armstrong, Badgley, Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Christie, Crysler, Solicitor General

Drummond, Duchesnay, Dumas, Fergusson, Fournier, Guillet, Hall, Holmes, Johnson, Laurin, Lemeux, Solicitor General Macdonald, Malloch, McLean, Merritt, Méthot, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(38.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Bell, Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Christie, Crysler, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Fournier, Guillet, Hall, Holmes, Johnson, Laurin, Lemeux, Solicitor General Macdonald, Malloch, McLean, Merritt, Méthot, Sanborn, Sauvageau, Scott of BYTOWN, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(38.)

NAYS.

Messieurs Flint, Mackenzie, McFarland, Notman, and Smith of DURHAM.--(5.)
So it was resolved in the Affirmative.

Mr. Letellier reported the Bill accordingly.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Grand River

Navigation Bill.

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled,

"An Act to authorize the Grand River Navigation Company to raise by way of loan, a certain sum of money, and for other purposes therein mentioned," being read;

The House accordingly resolved itself into the said Committee.

Mr. Duchesnay took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Duchesnay reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Report be now received.

Mr. Duchesnay reported the Bill accordingly.

Ordered, That the Bill be now recommitted to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Duchesnay took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Duchesnay reported, That the Committee had gone through the Bill, and made an Amendment thereunto.

Ordered, That the Report be now received.

Mr. Duchesnay reported the Bill accordingly; and the Amendment was read, as followeth:

Press 3, line 19. After "same" insert "and it shall be the duty of the said Council, in granting such credit, to pass a By-Law imposing a rate on all taxable property of the said Town of Brantford, as will provide for the payment of the said interest on such Debentures and the ultimate payment of the principal sum thereof in case the said Grand River Navigation Company shall for any cause be unable to pay the same; and that such rate may be assessed on all the assessable property in the said Town of Brantford, which may be in the said Town at the time of actually levying the same, but that the said assessments shall not be levied at any time

excepting to supply any deficiency on the part of the said Grand River Navigation Company in paying the interest or principal sum of Forty thousand pounds."

The said Amendment, being read a second time, was agreed to.

Ordered, That the Bill, with the Amendment, be read the third time to-morrow.

Manufactures
Encouragement
Bill.

The Order of the day for the House in Committee on the Bill for incorporating and granting certain powers to a Company for the encouragement of Manufactures on the Welland Canal, being read;

The House accordingly resolved itself into the said Committee.

Mr. Crysler took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Crysler reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Crysler reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Solemnization of
Matrimony Bill
(U.C.).

The Order of the day for the second reading of the Bill to amend the Law relating to the solemnization of Matrimony in Upper Canada, being read;

Mr. Morrison moved, seconded by Mr. Prince, and the Question being put, That the Bill be now read a second time;⁷⁷

MR. MORRISON...stated that the object of the law was to remove⁷⁸ the insidious distinction⁷⁹ [and] the present mark of inferiority⁸⁰ that now exists in regard to⁸¹ Dissenters,⁸² ministers of denominations, other than the Church of England and the Church of Rome⁸³ who were not allowed to contract valid marriages unless they registered their marriages, whereas members of the Churches of Rome and England were not obliged to do so.⁸⁴

MR. SOL. GEN. MACDONALD was anxious to see those distinctions removed, and would therefore support the motion, with a distinct understanding that in committee the mover would consent to the introduction of a clause which seemed necessary to preserve some existing social landmarks.⁸⁵

MR. ROBINSON asked, what course it was necessary to pursue, in order to ascertain whether persons were ministers of any denomination, as they might pretend to be?⁸⁶

MR. MORRISON said, this would be well known, without any such declaration or oath as was now required. Why exact a test from which Ministers of the Church of England and Priests of the Church of Rome, were exempt?⁸⁷

MR. H. BOULTON said, the test was not a mark of inferiority, and was not intended to be such.⁸⁸

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Bouthillier, Burritt, Cartier, Chabot, Duchesnay, Dumas, Ferguson, Flint, Hall, Lawin, Lamieus, Lebellier, Solicitor General Macdonald, Mac-kensie, Malloch, McConnell, McIntosh, Morrison, Notman, Priec, Sanborn, Sauvageau,

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Scott of TWO MOUNTAINS, Seymour, and Sherwood of BROCKVILLE.--(26.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Fournier, Hincks, Robinson, and Smith of FRONTENAC.--(8.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Wednesday next.

Order of
the Day.

Mr. Sherwood of Brockville moved, seconded by Mr. Malloch, and the Question being put, That the remaining

Orders of the day be postponed until to-morrow; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bell, Boulton of TORONTO, Bouthillier, Burritt, Cayley, Crysler, Hall, Solicitor General Macdonald, Mackenzie, Malloch, McLean, Morrison, Notman, Sherwood of BROCKVILLE, and Smith of FRONTENAC.--(17.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Cartier, Chabot, Duchesnay, Dumas, Fergusson, Flint, Fournier, Hincks, Laurin, Lemieux, Letellier, McConnell, Méthot, Price, Robinson, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Seymour, and Stevenson.--(22.)

So it passed in the Negative.

Mr. Mackenzie moved, seconded by the Honorable Mr. Boulton, and the Question being put, That the remaining Orders of the day be postponed until to-morrow; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Boulton of NORFOLK, Bouthillier, Crysler, Hall, Solicitor General Macdonald, Mackenzie, Malloch, Notman, Seymour, Sherwood of BROCKVILLE, and Smith of FRONTENAC.--(13.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Cartier, Cayley, Chabot, Duchesnay, Dumas, Fergusson, Flint, Fournier, Hincks, Laurin, Lemieux, Letellier, McConnell, Méthot, Robinson, Sanborn, Sauvageau, Stevenson, and Taché.--(21.)

So it passed in the Negative.

Adjournment.

Mr. Mackenzie moved, seconded by Mr. Armstrong, and the Question being put, That this House do now adjourn:--

It passed in the Negative.⁸⁹

MR. MACKENZIE...announced his intention to continue to move adjournments.⁹⁰

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Orders of
the Day.

Mr. Notman moved, seconded by Mr. Mackenzie, and the Question being put, That the remaining Orders of the day be postponed until to-morrow; the House divided: and the

names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Boulton of NORFOLK, Bouthillier, Solicitor General Macdonald, Mackenzie, Notman, Smith of FRONTENAC, and Taché.--(8.)

NAYS.

Messieurs Badgley, Baldwin, Boulton of TORONTO, Cartier, Cayley, Chabot, Duchesnay, Dumas, Fergusson, Flint, Fournier, Hincks, Holmes, Laurin, Lemieux, Letellier, Malloch, McConnell, Méthot, Robinson, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(26.)

So it passed in the Negative.

Adjournment.

Mr. Mackenzie moved, seconded by Mr. Notman, and the Question being put, That this House do now adjourn; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Mackenzie, Notman, and Smith of FRONTENAC.--(3.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cayley, Chabot, Crysler, Duchesnay, Dumas, Fergusson, Flint, Fournier, Hall, Hincks, Holmes, Laurin, Lemieux, Letellier, Malloch, McConnell, Méthot, Robinson, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, and Taché.--(31.)

So it passed in the Negative.

Party Processions
Act Report Bill.

The Order of the day for the second reading of the Bill to repeal the Act 7 Vic. c. 6, intituled, "An Act to restrain Party Processions in certain cases," being read;

Mr. Boulton of Toronto moved, seconded by Mr. Seymour, and the Question being put, That the Bill be now read a second time;

And Notice being taken that there was no Quorum:--The names of the Members present were taken down, as follow:--

Mr. Speaker,

Messieurs Boulton of TORONTO, Bouthillier, Cartier, Cayley, Crysler, Duchesnay, Flint, Fournier, Hincks, Laurin, Mackenzie, Malloch, McConnell, Méthot, Sauvageau, Sherwood of TORONTO, Smith of FRONTENAC, and Taché.

And at twenty-five minutes past Twelve o'clock at night, the House was adjourned by Mr. Speaker, without a Question first put.

FOOTNOTES: 11 AUGUST 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 12 August 1851, NORTH AMERICAN, 15 August 1851, and PILOT, 19 August 1851.
2. BRITISH COLONIST, 12 August 1851.
3. IBID.
4. IBID.
5. The following papers reported the debate on this matter in identical accounts: GLOBE, 12 August 1851, MONTREAL GAZETTE, 15 August 1851, and HAMILTON SPECTATOR, 16 August 1851. These three accounts all noted in error that Baldwin's amendment called for a six months "hoist" instead of a three months "hoist".
6. GLOBE, 12 August 1851.
7. IBID.
8. IBID.
9. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 12 August 1851, and NORTH AMERICAN, 15 August 1851. GLOBE, 12 August 1851, MONTREAL GAZETTE, 15 August 1851, and HAMILTON SPECTATOR, 16 August 1851, also reported the debate in identical accounts, noting in error that the amendment called for a six months "hoist" instead of a three months "hoist".
10. BRITISH COLONIST, 12 August 1851.
11. GLOBE, 12 August 1851.
12. IBID.
13. BRITISH COLONIST, 12 August 1851.
14. GLOBE, 12 August 1851.
15. BRITISH COLONIST, 12 August 1851.
16. GLOBE, 12 August 1851.
17. IBID.
18. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 12 August 1851, PILOT, 19 August 1851, and NORTH AMERICAN, 22 August 1851. GLOBE, 12 August 1851, MONTREAL GAZETTE, 15 August 1851, and HAMILTON SPECTATOR, 16 August 1851, also reported the debate in identical accounts, noting in error that the amendment called for a six months "hoist" instead of a three months "hoist".
19. GLOBE, 12 August 1851.
20. IBID.
21. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, and NORTH AMERICAN, 22 August 1851; GLOBE, 12 August 1851, MONTREAL GAZETTE, 15 August 1851, and HAMILTON SPECTATOR, 16 August 1851.
22. BRITISH COLONIST, 22 August 1851.
23. GLOBE, 12 August 1851.
24. IBID.
25. BRITISH COLONIST, 12 August 1851.
26. GLOBE, 12 August 1851.
27. BRITISH COLONIST, 12 August 1851.
28. MONTREAL GAZETTE, 15 August 1851.
29. BRITISH COLONIST, 12 August 1851.
30. GLOBE, 12 August 1851.
31. BRITISH COLONIST, 12 August 1851.
32. GLOBE, 12 August 1851.
33. IBID.
34. BRITISH COLONIST, 12 August 1851.
35. IBID.
36. IBID.

37. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, HAMILTON SPECTATOR, 16 August 1851, NORTH AMERICAN, 22 August 1851; GLOBE, 14 August 1851, and PILOT, 19 August 1851.
38. BRITISH COLONIST, 12 August 1851.
39. IBID.
40. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, HAMILTON SPECTATOR, 16 August 1851, NORTH AMERICAN, 22 August 1851; GLOBE, 14 August 1851, and PILOT, 19 August 1851.
41. BRITISH COLONIST, 12 August 1851.
42. GLOBE, 14 August 1851.
43. IBID.
44. IBID.
45. BRITISH COLONIST, 12 August 1851.
46. GLOBE, 14 August 1851.
47. BRITISH COLONIST, 12 August 1851.
48. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, HAMILTON SPECTATOR, 16 August 1851, and NORTH AMERICAN, 22 August 1851. GLOBE, 14 August 1851, and PILOT, 19 August 1851, also reported the debate in identical accounts, noting in error that the amendment called for a three months "hoist" instead of a six months "hoist".
49. BRITISH COLONIST, 12 August 1851.
50. IBID.
51. GLOBE, 14 August 1851.
52. BRITISH COLONIST, 12 August 1851.
53. GLOBE, 14 August 1851.
54. BRITISH COLONIST, 12 August 1851.
55. GLOBE, 14 August 1851.
56. BRITISH COLONIST, 12 August 1851.
57. GLOBE, 14 August 1851.
58. BRITISH COLONIST, 12 August 1851.
59. IBID.
60. The following papers reported the debate on this matter in identical accounts: GLOBE, 14 August 1851, and PILOT, 19 August 1851. BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, and NORTH AMERICAN, 22 August 1851, also reported the debate in identical accounts, noting in error that the amendment called for a three months "hoist" instead of a six months "hoist".
61. GLOBE, 14 August 1851.
62. BRITISH COLONIST, 12 August 1851.
63. GLOBE, 14 August 1851.
64. BRITISH COLONIST, 12 August 1851.
65. GLOBE, 14 August 1851.
66. BRITISH COLONIST, 12 August 1851.
67. GLOBE, 14 August 1851.
68. BRITISH COLONIST, 12 August 1851.
69. GLOBE, 14 August 1851.
70. BRITISH COLONIST, 12 August 1851.
71. GLOBE, 14 August 1851.
72. BRITISH COLONIST, 12 August 1851.
73. GLOBE, 14 August 1851.
74. IBID.
75. BRITISH COLONIST, 12 August 1851.
76. IBID.
77. The following papers reported the debate on this matter in identical accounts:

BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, HAMILTON SPECTATOR, 16 August 1851, NORTH AMERICAN, 22 August 1851; GLOBE, 14 August 1851, and PILOT, 19 August 1851.

78. BRITISH COLONIST, 12 August 1851.

79. GLOBE, 14 August 1851.

80. BRITISH COLONIST, 12 August 1851.

81. GLOBE, 14 August 1851.

82. BRITISH COLONIST, 12 August 1851.

83. GLOBE, 14 August 1851.

84. BRITISH COLONIST, 12 August 1851.

85. GLOBE, 14 August 1851.

86. IBID.

87. IBID.

88. IBID.

89. The following papers reported this incident in identical accounts: BRITISH COLONIST, 12 August 1851, EXAMINER, 13 August 1851, HAMILTON SPECTATOR, 16 August 1851, and NORTH AMERICAN, 22 August 1851.

90. BRITISH COLONIST, 12 August 1851.

TUESDAY, 12 AUGUST 1851.

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Petition
referred.

ORDERED, That the Petition of Paul Kane, of the City of Toronto, Artist, be referred to the Standing Committee on Contingencies.

Agricultural
Societies.

Mr. Taché, from the Select Committee to which were referred the annual Report of the Lower Canada Agricultural Society, and the Special Report of the Agricultural Society of the County of Beauharnois, presented to the House the Report of the said Committee; which was read.

Appendix (J.).

For the said Report, see Appendix (J.).

Ordered, That the said Report be printed in pamphlet form, for the use of the Members of this House.

Bill relating
to the Great
Cranberry Marsh.

Mr. McFarland reported from the Select Committee on the Bill to authorize the County of Welland Municipal Council to purchase certain Lands in the said County, known as the Great Cranberry Marsh, and for other purposes, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Recorders
Courts (U.C.).

Mr. Solicitor General Macdonald moved, seconded by the Honorable Mr. Price, That this House will immediately resolve itself into a Committee, to consider the expediency of making provision for defraying certain expenses of the Administration of Justice in the Recorders' Courts in Upper Canada;

The Honorable Mr. Price, a Member of the Executive Council, by command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject matter of this Motion, recommends it to the

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consideration of the House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Notman took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Notman reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

Bill relating
to the Election
of Members in
certain Town-
ships.

The Order of the day for the House in Committee on the Bill to fix the place for holding the Polls for the Election of Members of Parliament in Townships divided into Wards, in Upper Canada, being read;¹

On the motion of MR. SOL. GEN. MACDONALD the House went into Committee².

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The House accordingly resolved itself into the said Committee.

Mr. Bouthillier took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Bouthillier reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Bouthillier reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Crown Patents
Fees Bill.

The Order of the day for the House in Committee on the Bill to extend the period for payment of Fees on Crown Patents, and for other purposes therein mentioned, being read;³

On the motion of MR. SOL. GEN. MACDONALD, the House went into Committee on the bill to extend period of payments of fees on Crown Patents.⁴

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The House accordingly resolved itself into the said Committee.

Mr. Gugy took the Chair of the Committee;

MR. SOL. GEN. MACDONALD explained that the bill should be designed to meet the necessities of deserving settlers, who were unable to pay their fees within the time now insisted upon.⁵

MR. MERRITT opposed the bill.⁶

MR. H. SMITH and COL. PRINCE and others supported the bill and complimented the Solicitor General for introducing it.⁷

MR. H. SMITH, however, suggested and moved an amendment, with the view of modifying⁸ [OR] doing away with the present settlement duties, which he argued had been injurious rather than beneficial to the country, while they had been a heavy tax upon the claimants and settlers.⁹

MR. MORRISON spoke against these duties as did also MR. SHERWOOD.¹⁰

MR. MERRITT, while objecting to several parts of the measure¹¹ supported that part of the bill that had reference to the settlement duties, contending that they¹² had led to very great improvements -- to the opening of roads, the clearing of land, &c.¹³

MR. COM. CR. LANDS PRICE defended the bill as a whole, although concurring with the hon. member for Lincoln, in reference to the duties now exacted from claimants.¹⁴

MESSRS. H. BOULTON and SOL. GEN. MACDONALD spoke in favour of these duties.¹⁵

MESSRS. AT. GEN. BALDWIN, RICHARDS, LYON, H. SHERWOOD, and G. SHERWOOD, also took part in the debate, which frequently diverged from the actual purpose of the bill into matters connected with Land grants and speculators.¹⁶

After some further discussion, the amendment of MR. H. SMITH was lost -- yeas 9, nays 30.¹⁷

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Gugy reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Gugy reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

Bill relating to
Real Property
illegally
detained.

The Legislative Council have passed the Bill, intituled, "An Act to provide a more summary and less expensive process for proprietors of real property in Lower Canada to acquire the possession thereof when illegally detained from them in certain cases," with an Amendment, to which they desire the concurrence of this

House: And also,

Berthier
Academy Bill.

The Legislative Council have passed a Bill, intituled, "An Act to incorporate the Directors of the Berthier Academy," to which they desire the concurrence of this House.

And then he withdrew.

Berthier
Academy Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Directors of the Berthier Academy," was read the first time.

St. Lawrence
School of Med-
icine Bill.

An engrossed Bill to incorporate the St. Lawrence School of Medicine of Montreal, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

Church of Eng-
land Society
Bill (L.C.).

The Order of the day for the third reading of the engrossed Bill to provide for the establishment of a Church Society of the United Church of England and Ireland, in each Diocese of that Church in Lower Canada, and for other purposes connected with the recent division of the Diocese of Quebec, being read;

The Honorable Mr. Badgley moved, seconded by the Honorable Mr. Macdonald, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Cayley, Chabot, Chauveau, Dickson, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fournier, Fourquin, Guy, Hinks, Holmes, Johnson, Attorney General LaFontaine, LaFerrière, Laurin, Lemieux, Letellier, Macdonald of KINGSTON, Malloch, McConnell, McLean, Merritt, Meyers, Mongenais, Polette, Price, Robinson, Ross, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, Taché, and Viger.--(44.)

NAYS.

Messieurs Bell, Hall, Hopkins, Solicitor General Macdonald, Mackenzie, McFarland, and Smith of DURHAM.--(7.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

Toronto Gen-
eral Burying
Ground Bill.

An engrossed Bill to authorize the Trustees of the Toronto General Burying Ground to acquire an additional lot of land, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Price do carry the Bill to the Legislative Council, and desire their concurrence.

Yamaska
Common Bill.

An engrossed Bill to revive the Act authorizing the Inhabitants of the Seigniorie of Yamaska to regulate the Common of the said Seigniorie, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Fourquin do carry the Bill to the Legislative Council, and desire their concurrence.

Grand River
Navigation
Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to authorize the Grand River Navigation Company to raise by way of loan, a certain sum of money, and for other purposes therein mentioned," was, according to Order, read the third time.

Resolved, That the Bill, with the Amendment, do pass.

Ordered, That the Honorable Mr. Merritt do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same with an Amendment, to which they desire their concurrence.

Bill relating
to the ex-
penses of
Light Houses.

The Order of the day for the second reading of the Bill to repeal the Tonnage Dues imposed for defraying the expenses of maintaining Light Houses, and for other purposes connected with the navigation of the waters of this Province, and to provide for the payment of such expenses out of the Consolidated Revenue

Fund, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

(266)

The House accordingly resolved itself into the said Committee.

Mr. Richards took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Richards reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Richards reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Currency Act
Amendment
Bill.

The Order of the day for the second reading of the Bill to extend the provisions of the Currency Act to certain Gold and Silver Coins coined after the periods in the said Act limited, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Decimal Cur-
rency Bill.

The Order of the day for the second reading of the Bill to provide for the introduction of the Decimal System into the Currency of this Province, and otherwise to amend the Laws relative to the Currency, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Bill relating
to Chartered
Banks.

The Order of the day for the second reading of the Bill to exempt the several Chartered Banks from the Tax on their Circulation, on certain conditions, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Chauveau took the Chair of the Committee;¹⁸

The Committee rose and reported progress on motion of MR. INSP. GEN. HINCKS. He stated that he took this course, there being opposition to the Bill, and there was other business he wished to go on with that evening.¹⁹

(266)

and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chauveau reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again to-morrow.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

Jurors Act
(U.C.) Amend-
ment Bill.

The Legislative Council have passed the Bill, intituled, "An Act to amend the Upper Canada Jurors Act of 1850, and to make some further provisions for the better accomplishment of the object thereof," without any Amendment.

And then he withdrew.

Local Police
Bill.

The Order of the day for the second reading of the Bill to authorize the employment of Military Pensioners and others as a Local Police Force, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for to-morrow.

Trunk Line of
Railroad
through the
Province.

The Order of the day for the House again in Committee to consider a series of proposed Resolutions on the subject of the construction of a Trunk Line of Railroad through the Province, and the expediency of amending the Act for affording the guarantee of the Province to Railroad Companies, and another reference, being

read;²⁰

MR. INSP. GEN. HINCKS [moved] the House...into Committee on the Resolutions for the construction of a main trunk line of Railway through the Province.²¹

(266)

The House accordingly resolved itself into the said Committee.

Mr. Boulton of Toronto took the Chair of the Committee;

MR. INSP. GEN. HINCKS moved the resolutions, of which he had given notice;²² [He] said he did not think it necessary to go again into the question after the discussion of the preceding evening.²³ He had, when the House was last in Committee on this, explained his views at some length²⁴. He said the cabinet had bestowed much care on the resolutions. He understood the hon. member for Toronto intended to move an amendment which if carried, would destroy the whole scheme²⁵ which the Governments of the different Provinces had in view.²⁶

Hear, from MR. AT. GEN. LAFONTAINE.²⁷

MR. INSP. GEN. HINCKS [continued:] He felt bound to state that at the outset; and the view of the Government was, that the adoption of the proposition of the hon. member, would be tantamount to a rejection of the resolutions by the House.²⁸

MR. H. SHERWOOD was astonished that the Inspector General could make such a statement. He had given a great deal of consideration to this subject, and his first impressions had been to give his cordial support to the present measure.²⁹ He asserted his strong desire to see the railway, and stated that he was known to be the uncompromising supporter of the Union of the Provinces³⁰, and he believed that nothing could tend more to perpetuate that Union than such a scheme as was proposed in that undertaking. But he had been astonished to look into documents which had been laid before the House, in which he found the express conditions on which the Inspector General had made the last loan of £500,000 in England were, that the public debt should not be more increased on any public work. This had engaged his consideration³¹ when he saw the efforts that Mr. Howe had made in England, and when he saw the success that had attended Mr. Howe's efforts in England.³² On behalf of the Province of Nova Scotia, he was not prepared that Upper Canada should give in blindly to the propositions of that hon. gentleman, whereby his own Province would be aggrandized at the expense of Upper Canada interests.³³ He did not see why Canada should not make a similar demand to make a railway through this Province.³⁴ He thought that in a question of so much importance, the government should appeal to the country, with the view of eliciting a formal and complete expression of opinion through a new Parliament. This course had been pursued by the government of Nova Scotia, and should be adopted here.³⁵ He would not take up Mr. Howe's proposition where he had left it off; but would go to the British Government with the influence of the Canadian Parliament, which he (Mr. S.) thought should have as great weight as the representations of any individual. He would take the responsibility of voting for a resolution that should include a line through the Province, and do justice to Canada West; but if such were not the case, and the railway only taken to Quebec, he would prefer to have the Parliament dissolved, to follow the example of Nova Scotia and go to the people upon the question.³⁶ He contended that if equal justice were to be done to both sections of the Province, the government should construct one main trunk line from Halifax to St. Clair; and he would bear his share of the responsibility, if money to effect this could be obtained at 3½ per cent. With regard to that portion of the Canadian line east of Quebec,³⁷ he had frequently read articles in support of this view from able men, who had devoted much of their time to this subject. But if the road were to be extended westward, the question was very different.³⁸ Any loss in that line would be more than compensated if a great trunk line were continued westward from Quebec, in order to open the Province to the vast amount of traffic which came from the north western states. He maintained that the interests of Upper Canada would be sacrificed, if an effort be not made to obtain from the British Government an advance to this part of the Province on terms as favourable as those which were held out to the Lower Provinces. If this effort be not made, Western Canada would suffer, because of our inability to borrow money at less than six or seven³⁹ or 8 per cent⁴⁰ and consequently to construct the lines which would be necessary to develop the vast and varied resources of this section of the country.⁴¹ There was no reason why the English Government should not extend to us its guarantee from four to six millions, and make a grand national provincial work. The guarantee of the English Government being obtained, the people of Upper Canada would rejoice at accepting the proposition.⁴² The hon. gentleman alluded to the favourable reception which Mr. Whitney's project for a railway to the Pacific has met with in England, and⁴³ he dilated on the grandeur of the project, and stated that a road so commenced, would soon extend to the Pacific Ocean, and make the first step of a great highway from Europe to Asia⁴⁴ which shall connect the Atlantic with the Pacific.⁴⁵ That was a grand idea. We should not now stand still on the threshold.⁴⁶ In conclusion, he proposed the following amendment:--

"That provided the Imperial guarantee can be obtained for raising the necessary fund to construct a railway from Quebec to Halifax on British territory, and a rail-

way also from Quebec to some convenient point of intersection with the Great Western Railroad, so as to connect with the principal railroads across the Peninsula of Michigan, it is expedient that this Province should co-operate with the Provinces of Nova Scotia and New Brunswick in the construction of so much of it as lies between Quebec and Halifax, either by constructing the same on joint account with the said Provinces, or by contracting, at the expense of this Province, such portion of the said railroad within Lower Canada as shall amount to one-third of the whole distance; and that the said railroad from Halifax to Quebec, and from thence to its point of intersection with the Great Western Railroad, shall be, to all intents and purposes, provincial public works; provided always that the said line of railroad shall be commenced and proceeded with simultaneously at the most prominent points on the said line, between its point of intersection as aforesaid, with the Great Western Railroad and Quebec, and between Halifax and Quebec, as the Governor General, with the advice of the Executive Council of this Province, shall direct and appoint."47

MR. HOLMES seconded the motion.⁴⁸ [He] did not think it right to impute sectional motives to the member for Toronto, and stated that unless his amendment were acceded to, the work would be a failure.⁴⁹ This was not a political party question, but one in which every member was called upon to state his honest convictions and not allow his vote to be influenced by any temporary advantage which the expenditure of a large sum of money in particular localities, might induce.⁵⁰ He believed that some of the calculations of the Inspector General were erroneous.⁵¹ The Inspector General, in his opening speech, had assumed that the whole cost of the contemplated work chargeable to Canada would be four millions from Halifax to Hamilton -- and this would cost the province £140,000 per annum, under the proposed plan; while if the imperial guarantee were not obtained, the cost a year for the road from Quebec to Hamilton alone would be £150,000 if the province had to borrow money at six per cent upon its own sole credit. The hon. Inspector General had also calculated it would in some sections not exceed more than £5,000, others £6,000, and through a portion of the route £7,000 per mile; but this he (Mr. Holmes) thought was not an assertion to be relied on. He had before him, and read from, a report of the engineer on the Halifax and European railroad having reference to the same description of route, through New Brunswick, and it was there stated the road could be made at a minimum estimate of £8,500 per annum, while another states it at £9,000 per mile. And when it is recollected that the whole of the contemplated outlay and management was to be under the control and supervision of government, he asked was it likely the same economy would be practised or that the expenditure would far exceed what the same work would cost if executed by a private company? Was he not warranted in saying he feared the calculations of the Inspector General would prove fallacious? Yes, he might say none of them knew the nature of the route between Quebec and Halifax, or what numerous abstractions it might present for the construction of a railroad. He read from the report of Mr. Howe to the effect that the surplus of the cost of the road to Quebec should be applied to the continuance of the road to Montreal. He did not believe there would be any surplus. The sum of £7,000,000 sterling had been named as the maximum sum which Great Britain was expected to provide, or would guarantee. Now it appeared New Brunswick, after first flatly refusing, had agreed to become a party to the arrangement, if £1,200,000 sterling was first granted out of the seven millions, to enable her to complete her own internal line of road from Halifax to Portland, thus reducing the sum available for the road to Quebec to about five millions and a half. What were Colonel Robinson's estimates of the rest to Quebec? Look at that report and those estimates and ask what would be the balance available after that road was completed, for any road west of Quebec? He took up a map and traced the course of the proposed line, and asked if it could be supposed that any man in his senses would take the long circuitous route to go to Halifax when he might go by a shorter way and through civilized and populous country, instead of wilderness; for though to a considerable distance down along the St. Lawrence, through the Canada settlement, there might be a good level country, such was not the

case when once that frontier was departed from, and the road entered New Brunswick. There could be no doubt what route would be chosen. Then if the passenger trade could not be expected, would any man be so mad as to send a barrel of flour by it? Certainly not. The New Brunswick road connecting Halifax with Portland, once made, the whole travel would go from Montreal to Portland and thence to Halifax. It was nearer and it would be cheaper. The people and Government of England he doubted not, were desirous of conciliating the people of Canada -- provided it could be done without injuring themselves. Now this was all we had a right to expect, but much ignorance existed in England as to the best means of conferring a benefit upon the people of Canada, and as to what the real interests of the colony were. The English Government had always been most desirous of opening up a communication from Halifax to Quebec -- and for what purpose? Why, a war with the United States might break out and Canada, in that event, would be inevitably the field on which the battle would be fought -- it was so once, it would be so again and the Halifax road was wanted to throw in military supplies. He went on to describe the consequences of the last war of 1812; and asked if it was desirable to incur a large debt upon an undertaking which was a purely military one, unless by so doing the Province secured the advantages contemplated and described by the amendment he had seconded. He referred to the making of the Rideau Canal, which was constructed for a similar purpose as the Halifax road was wanted for. We had not been called upon to guarantee the repayment principal and interest of that undertaking; if the province had to pay the interest of 60 or £90,000 for that work and keep it in repair, what would now be the feelings of the people of Canada in regard thereto? That work had proved a failure for any other than a military purpose, and so would be the road from Halifax to Quebec. But he had not the least doubt that if an offer had been made when that work was first contemplated, similar to the one now made for the railway, that the men of that day would have jumped at it, just as he feared many would now do; and vote under the influence of a hope that certain localities might be enriched by the distribution of £50,000 in one parish, £70,000 in another, and £100,000 in a third, without reflecting that the Province was subjecting itself to future taxation for an unproductive military work. And he would ask was it probable under such circumstances the people of Canada would feel grateful to the Mother Country for drawing them into an expense of no benefit whatever to the country unless it were combined with other and extensive improvements, and those improvements which could only be secured by supporting the resolutions with the amendment now under consideration. The difference between the works was that Great Britain kept one in repair and paid for its construction while Canada would be called upon to pay £60,000, perhaps £100,000 a year for the other and would not that create discontent and bad feeling? Would that beget a bond of union between the Colony and England. It can be shown that it is the interest of England that she should [pay the cost or repairs] in connection with this line, and as in the construction of lines that would be paying lines -- lines absolutely necessary to feed the Quebec Road -- if any freight is to pass on it -- and within which it is absolutely folly to expect any revenue will ever be derived from that section of the line of road contemplated as the Grand Trunk, conducting the Provinces of Canada, Nova Scotia, and New Brunswick; and all this she -- Great Britain -- could do without risk on her part, and that so doing would awaken a feeling of gratitude in the hearts of the people of Canada, and would do much to perpetuate the connexion. He concluded by expressing his anxiety to see a Grand Provincial Line from Detroit River to Halifax, and thought it extremely desirable to assent to the wishes of Great Britain to carry it there if the Imperial Government would endorse the bonds of the Province, and the day the money requisite for the whole line be secured at $3\frac{1}{2}$ per cent; but unless the western sections of the roads were provided for he could not see any advantage to be derived, and must vote for and support the amendment, unless, indeed, he heard argument during the debate which would prove his views to be erroneous; in which case he would admit with much satisfaction that it might be advantageous to agree to the hon. Inspector

General's proposals without delay; but he feared he had himself taken a correct view of the result of this suggestion.⁵²

MR. INSP. GEN. HINCKS was sorry that the hon. member for Toronto had discussed this important question in purely local grounds, and in a spirit of jealousy to Lower Canada.⁵³

MR. H. SHERWOOD disclaimed any thing like local feeling or prejudice in connection with this question.⁵⁴

MR. INSP. GEN. HINCKS went on to remark that he did not expect that the Imperial Government would advance more than seven millions sterling, and he would not consent to ask for more. The offer was extremely liberal, and should be accepted with gratitude. If the 7,000,000 be found insufficient to construct the entire trunk line, we should avail ourselves of it, apply it as far as it would go, and construct the remainder on our own account. This would raise the average of interest for the whole line to a degree slight in comparison with the rate of increase which would take place if the Imperial offer were rejected, and we undertook the whole out of our own resources. To show that the hon. member for Toronto was unacquainted with the subject, it was only necessary to refer to his assertion that that portion of railway from New Brunswick to Quebec would be unprofitable. The fact was, that that portion would certainly be highly remunerative, while the New Brunswick section would run through a sparsely settled country. He (Mr. H.) was satisfied that Upper Canada had no reason to be dissatisfied with the proposal, and he deeply regretted that there should be any thing like a disposition to demur to a scheme which was of truly national importance.⁵⁵

In reply to questions by MR. ROBINSON⁵⁶--

MR. INSP. GEN. HINCKS stated the extent and cost of the work, as a whole. The distance from Halifax to Quebec was 536⁵⁷ [OR] 636 miles⁵⁸ which could be constructed at £7,000 currency per mile, amounting to £4,452,000. The road through New Brunswick -- 200 miles -- at £6,000 per mile, would cost £1,900,000, putting the first item in round numbers, at £4,500,000. The total cost of the line would be £8,700,000 currency; whereas the £7,000,000 sterling to be advanced, were equivalent to £8,816,666 currency.⁵⁹

MR. AT. GEN. LAFONTAINE argued that if England were willing to give this guarantee, it was because she regarded the work as national in its⁶⁰ character⁶¹ and that she could not be expected to advance money, if it were to be expended only west of Quebec. If we were sincerely desirous of constructing the line, we should accept the offer now made, turn it to the best possible advantage, and supply out of our own resources any balance that might be required. Not only was the amendment ill-timed and ungenerous, but it came with singular ill-grace from the hon. member⁶² for Toronto who had only the other day proposed a series of resolutions for the Federal Union of the Provinces. If the amendment were adopted, the whole project would be defeated.⁶³

DR. LATERRIERE spoke (in French) in support of the original resolutions.⁶⁴

COL. PRINCE would be happy to support the Government in their plan for carrying out a project which would do more than everything else to raise the province from its present insignificant position to a position of the highest importance. We ought to sustain the resolutions to the fullest extent, even to the extent of pledging our whole resources. Bearing in mind the risk of loss which the hon. member for Montreal (Mr. Holmes) had put forward he (Mr. Prince) was prepared to encounter it, in view of the palpable advantage which would accrue to all classes. It was worth while to run a great risk for the sake of almost certain advantages -- for he regarded the advantages which Canada would gain from this railroad as positive. Our experience had taught us that private enterprise was insufficient to give to

Canada the railways she required; and to this lack of enterprise had been added petty jealousies between localities and individuals. There would have been a line from Bertie to Sandwich long ago, but for the narrow views and monopolizing tendencies of what was called the Great Western Railway, which was still far from being built. His opinion of that undertaking was more favorable than it was twelve months ago, but he was still disposed to apply to it the maxim -- parturiunt montes nascitur ridiculus mus. In concluding, the hon. member declared his cordial approval of the policy of the Provincial Government during the present session; notwithstanding the miserable course which they pursued in their first session. He was glad to think that he should part with them, at the close of this session, in perfect amity.⁶⁵

MR. STEVENSON⁶⁶ desired to know how Canada would defray the interest on the capital while the line was being built. Would it be paid out of the Consolidated revenue of the province?⁶⁷

MR. CHABOT said that⁶⁸ he was sorry that⁶⁹ such an offer as was now made on the part of England⁷⁰ had not been spontaneously accepted without debate.⁷¹ He thought that no member would have dared to vote directly against the measures, and regretted that any one had taken indirect measures for defeating it. He concluded with the remark that if Great Britain continued to act with such justice and liberality as were manifested in her present offer, she would always have as many lovers⁷² [OR] soldiers⁷³ as there were French Canadians in the country.⁷⁴

MR. LETELLIER began by pointing out that the guarantee already given by the province to the road amounted to £25,000⁷⁵ [OR] £35,000⁷⁶ a year, beside the land on each side of the line. It was now pretended that this road would not pay, yet it was evident that it must have been expected to be profitable to the country, or that guarantee would not have been given. He proceeded to calculate that if the emigration which reached the province in 1838 had come by the railroad, the receipts could have amounted to £38,000. He also referred to the large commerce which was enacted between the English colonies, and between the eastern colonies of the United States, and he contended that the latter ought all to pay by colonial channels, and would do so, if the railway were constructed. Besides these, there were sources of trade not yet heard of, which would be opened up by this railroad -- he meant the fisheries on the shores, and the forest of lumber which could not be at present made available either for timber or lumber, on account of the difficulties of transporting provisions. --If views like these expressed by the senior member for Toronto⁷⁷ continued to prevail, no great national work could be undertaken. But he did not think he would find many persons to second him. For his own part he did not think the mere pecuniary advantages of the road ought to be considered. There were other interests of still greater importance which ought not to be forgotten.⁷⁸

MR. CHAUVEAU said if he were to repeat that the present discussion was the most important that had ever been submitted to the House, he would only utter a truism; and he would not have spoken at all but for the extraordinary proposition of the hon. member for Toronto. It must not be forgotten that this proposition did not originate with the Imperial Government; but in a great measure with the Province; and now after the Imperial Government had acceded to the views of this Province -- had gone farther and determined to aid in extending the road to Montreal, and almost to the extremity of the Province -- now, hon. members came to oppose this liberal offer.⁷⁹ [He] animadverted on the purely sectional character of the amendment, and on the ignorance of the geography and topography of Lower Canada, which had been exhibited by its mover.⁸⁰ He had thought that it was required for a legislator to know something of the country for which he was to legislate; but he must change his mind since he heard gentlemen speak of the country between Quebec and New Brunswick⁸¹ through which the line would run in Lower Canada as dreary and desolate⁸², as a wild and barren country. Instead of that Lord Durham spoke of this

country as a continual street.⁸³ In point of fact, it was thickly settled, and was the seat of a large and increasing trade. In proof of this, it was sufficient to remember that between 400 and 500 schooners were now employed in the St. Lawrence, between Quebec and the eastern extremity of the Province.⁸⁴ It ... possessed a population of 12,000 souls.⁸⁵ The hon. member went on to animadvert on the want of patriotism which the amendment indicated, and expressed his surprise that any person should be found ready to bring forward a proposal which, if adopted, would defeat the whole scheme.⁸⁶ He would have thought, too, that he was surrounded by men with something like British feelings, and yet the hon. member for Toronto came forward to desire to prevent the accomplishment of the most important portion of the whole plan, the most important for the national and military purposes of Great Britain and for the union of the American Provinces.⁸⁷ There was a time when he (Mr. C.) thought that Canada was not cared for as she ought to be by England; but he could not entertain the idea after such a proposal as that which she had now made.⁸⁸

MR. CARTIER said that now-a-days, we were accustomed to judge of the degree of prosperity and civilization of any country by the extent of its Railroads⁸⁹. [He] went over the principal countries of Christendom, identifying the number of miles each possessed⁹⁰ and judged by this standard how disadvantageously did Canada compare with the United States. England presented a perfect network of Railroads -- so did the United States, while Canada could hardly be said to have begun to construct works of this kind.⁹¹ He therefore thought, considering the necessity that the Province ought cheerfully and thankfully to accept the offer made by Great Britain⁹². The Hon. member proceeded to state the cost of Railroads in Massachusetts and New York, and compared them with the estimated cost of that which was proposed for Canada.⁹³ Judging from the expenses of the construction of a railroad from Montreal, it would be found that £400,000 would build 687 miles of railroad; this was a rate at which no other road had been built considering the high prices they had paid for money, and yet the Erie railroad was now paying, in spite of the high price of construction, no less than 6 per cent.⁹⁴ He contended that we had ample reasons for congratulating ourselves on the cheapness of the proposed line -- while he was satisfied that the resources of the country were amply sufficient to produce a very profitable amount of traffic.⁹⁵ As to the hon. member for Lincoln, he stuck to his first love, canals -- and he was right, for the hon. member had much to be proud of; but the hon. member should reflect that Railroads were not antagonistic to Canals and rivers; on the contrary, one helped the other⁹⁶. In confirmation of this remark, [Mr. C.] pointed out that in New York, Ohio, Indiana, Illinois, and other States, Railroads had been constructed side by side with canals, and both were found to prosper.⁹⁷ But there was a warning on the other side. New Orleans, once the flower of the Cities of the United States, ... had the channels of trade tapped above her, and had thus lost her supremacy to such an extent that her commerce was now actually declining.⁹⁸ The decline of the trade of New Orleans was mainly attributable to the circumstance that Louisiana had relied on the Mississippi, to the neglect of railroads.⁹⁹ The hon. member [Mr. Merritt] indeed looked to New York as the natural market for Canada. He did not think so.¹⁰⁰ The natural market of Lower Canada, and a large part of Upper Canada, was not New York, but the cities east of New York, and he referred to Mr. Poor's speech at Portland, to show that this view was entertained by men most competent to form correct opinions on commercial questions.¹⁰¹ The route by land from Portland to Halifax was farther by sea [sic] than by land; and yet the people of Portland desired, above all things, to reach Halifax, and why? Because it was evident that the trade was constantly going eastward.¹⁰² He traced the progress of New York contemporaneously with the decline of New Orleans and Boston¹⁰³. New Orleans was once the largest commercial city of the Union. The trade had then reached New York, and Boston, once the largest commercial city had been eclipsed by her rival; but Boston, by her Railroads,

had contrived, in a great measure, to concentrate the lines of communication for herself; so that they boasted that they could get a barrel of flour from the West by Montreal cheaper than New York could do by the Erie Canal.¹⁰⁴ [He] advised the legislators of Canada to profit by this and similar lessons. Portland was 100 miles nearer than Boston to Montreal, and would certainly soon receive much of the trade that now went to New York and the latter city--although Portland could not hope to be anything more than a depot of a line, the end of which would be at Halifax.¹⁰⁵ He was glad to have heard that the country between Quebec and Halifax was a populous country; but independent of that, he had shown that the trade of the interior of the country must seek that port. So that the country would be settled while the best port on the Atlantic would be put into communication with the interior.¹⁰⁶ He therefore, regarded Halifax as destined to be the great emporium of the east, north and west.¹⁰⁷ He would conclude with this observation--that he supported the Railroad policy, because it aided the carrying on of the Government of the country. It was this that had enabled the United States to carry on the Republican form of Government, and had decided the question, which had begun to be agitated, as to whether Washington were in the centre of the country. At present, however, that city could be reached from all parts of the country by Railway, and instead of changing the Seat of Government, they were building a new capital. He was in favour, as he had often said in joke out of the House, to drown ignorance in Canals; ride over it with Railroads, and galvanize it with Electric Telegraphs.¹⁰⁸ [He] called upon the House to render cordial support to the plans laid down by the Inspector General.--He was satisfied that railways are important in a political sense, and no man would venture to question their value in a social and commercial aspect.¹⁰⁹

MR. G. SHERWOOD had had some difficulty in making up his mind how to vote on this question.¹¹⁰ [He] confessed that when he first heard of the expenditure of £4,500,000, the money tempted him, and he thought it ought to be accepted immediately. But since he had heard the remarks of the hon. member for Montreal,¹¹¹ Mr. Holmes¹¹², he came to the opinion that unless those¹¹³ objections ... were satisfactorily answered, he should feel bound to vote against the resolutions proposed by the Inspector General. The scheme was a magnificent one, no doubt, but there were many points in relation to the financial bearings of the question which had not yet been satisfactorily explained. He thought that the expectation that emigrants from Europe would avail themselves of this route, was improbable.¹¹⁴ Now, he understood that emigrants were, at present, transmitted from Europe to Quebec for £3. How much less would be charged to carry them to Quebec? He believed very little indeed; and that the addition of the railway fare would make the cost more than at present.¹¹⁵ The cost would be equal to the cost of a steerage passage across the Atlantic which was much higher than the cost of the present routes via New York. The mere saving of a few days' time was of little moment to the great body of emigrants in comparison with the saving of money; and for this reason he thought that they could not be expected to pass through this Province.¹¹⁶ Again, he found from Mr. Howe's report, which had been laid before the House, that a part of the whole grant would be laid out in building the European and American road. This, he thought, was a scheme which would be most unfair for this country; because it would be creating a railroad, which it was admitted, would be a most successful rival to the Quebec and Halifax road. Again, Mr. Howe's report showed¹¹⁷ clearly¹¹⁸ that Quebec was to be the terminus of the line aided by Great Britain¹¹⁹ and there was no probability that any surplus would remain to continue the line westward of Quebec. He (Mr. S.) did not believe that the road could be constructed at the cost which had been estimated; and certainly no clear way of meeting the liabilities, whatever they amounted to, had been pointed out.¹²⁰ It was time that the learned Attorney General (East) said--"Oh, accept this money unanimously, and doubtless, you will get what you want;" but would England think less of us, if we asked for what we wanted?¹²¹ Much had been said con-

cerning the advantages which the United States derived from railways but on looking at the share list, he found that of the whole number, not a dozen were at par. Besides, it was by no means certain that Canada would have the concurrence of Nova Scotia and New Brunswick in the project. In the former Province,¹²² the House had been dissolved.¹²³ An appeal was being specially made to the constituencies on the subject¹²⁴. The very same thing should be done here, and the people invited to pronounce their opinion¹²⁵, more especially as the present parliament would expire in due course in a very brief period.¹²⁶

MR. ROBINSON put it to the last speaker whether it would not be advisable to build the entire road, as the cost, at $3\frac{1}{2}$ per cent, would be less than the cost of a line only from Hamilton to Montreal, at 6 per cent.¹²⁷

MR. G. SHERWOOD said this supposed the accuracy of the Inspector General's calculations.¹²⁸ The money to be obtained at $3\frac{1}{2}$ per cent, would not make the road even to Montreal, and that the Province would then have to build the road thence to Hamilton, and to pay 6 per cent or 7 per cent for the money.¹²⁹ He (Mr. S.) did not believe, that money could be got for $3\frac{1}{2}$ per cent¹³⁰.

MR. CAYLEY was struck by the remark of the hon. Attorney General, who said that if we accepted this money frankly, England would lend the remainder of that wanting. That was to say that if we rushed rashly into the scheme, England would be more inclined to trust us than if we went to work carefully and cautiously--if so it was contrary to all she had previously done.¹³¹ [He] contended that the surest way to obtain a guarantee from England was to show her that we were anxious to act carefully and safely and to incur no liabilities which we should be unable to meet.¹³² Now all parties desired to build this main trunk line; but they wanted to see the way to build it completely. New Brunswick had in the first instance declined to undertake the proposition, and said she could not contract it; but she had been offered then the guarantee for a second line and she that could not undertake one line was now about to undertake two lines. Why could not Canada¹³³ expect to be assisted in the same special manner, if we appealed in a proper spirit to home government¹³⁴ [to] obtain the guarantee for one line which she required, especially when it was remembered that one of New Brunswick's two Railroads was to be a rival of the main trunk line. Upper Canada had been accused of selfishness but if she were selfish she would refuse to enter upon this line at all, because she already had the Portland line, which would answer every purpose. It was said that Nova Scotia had come forward with great frankness and liberality in this matter; but had she not some thing very considerable to gain by this road--was she not to obtain the traffic of the entire colonies by it? And had not New Brunswick, in like manner, very much to gain by establishing not only this road but a secure road, and that at the expense of this Colony?¹³⁵ The hon. gentleman proceeded to state some calculations with the view of exhibiting the extent of the inabilities which the present plan would impose upon the Province; and to argue that it was unfair to expect Canada to bear an equal share of burdens with Nova Scotia which would receive by far the largest amount of profit. He doubted if more than half a million surplus would remain after the construction of the line from Halifax to Quebec; and¹³⁶ everything in Mr. Howe's report showed how little account he made of the surplus, which was to be devoted to that portion of the road lying within the Province of Canada. He said, after stating that the two roads through New Brunswick were to be built, that any saving that could be made should be applied in Canada.¹³⁷ Suppose we had to borrow the further sum required to continue the line westward, our prospects of obtaining it would not be improved by the fact that we were already encumbered with very heavy liabilities.¹³⁸ There was another very important consideration. When this road should be constructed Halifax would become the port of the whole of Canada, and could then be able to levy import duties upon the whole Canadian trade. This ought to be provided against, and he trusted that if the present project were adopted, steps would be taken next session¹³⁹ in connection with these negotiations¹⁴⁰ to provide against it.¹⁴¹

At this stage of the proceedings, MR. H. BOULTON moved the adjournment of the debate.¹⁴²

COL. PRINCE insisted on a division to-night. There should be no further loss of time.¹⁴³

MR. MERRITT said, the subject could not be finished to-night, as amendments were to be moved to all the resolutions. The hon. member then reiterated many of his former objections to the Government plan¹⁴⁴ made on a previous evening.¹⁴⁵

The motion for adjournment was negatived by 30 to 21.¹⁴⁶

After the division MR. INSP. GEN. HINCKS replied to the hon. member for Lincoln, denying the reasonableness of his prognostications, and the accuracy of his calculations.¹⁴⁷ He thought the question had been very unfairly argued. It had been all along assumed that the road between Quebec and Halifax would not pay. He thought on the contrary that it would pay, and that it would be advantageous to build it, if that were to be done alone. Mr. Morton, in his report on the European road, had spoken in the highest terms of the Quebec and Halifax road. He went on to say that he felt perfectly sure the amount which Great Britain was willing to guarantee, would be sufficient to build the whole road, and gave some figures to show that the cost of railroads was very much under that which some gentlemen thought; for example, contracts had been taken some days ago to build the Ontario and Lake Huron Railroad, for which hardly a shilling of money was in hand, for £6,500 per mile. Besides, the Province had already granted a sum of £25,000 per annum, and therefore to build this road, taking merely the line between Quebec and Halifax, on the present scheme, would save money to the Province.¹⁴⁸ He then commented on the amendment of the senior member for Toronto, which he was satisfied, set forth a plan infinitely less advantageous than that already before the House. He repeated his conviction that the proffered £7,000,000 would effect all which he had estimated.¹⁴⁹

MR. H. BOULTON said it would be folly in Canada, with magnificent resources, to ally herself in liability with New Brunswick and Nova Scotia, whose resources were comparatively insignificant. He believed that the revenue of either province did not exceed £100,000, and their means of increasing this were very limited.¹⁵⁰

MR. AT. GEN. LAFONTAINE knew that the revenue of Nova Scotia exceeded her expenditure, which annually included a large sum for roads. As to her ability to repay her share of the proposed loan, it was for England, as the creditor, to take care that ample security be provided; and the published despatches proved that England was satisfied on this point.¹⁵¹

Another motion for adjournment was made, and negatived.¹⁵²

MR. MACDONALD (Kingston) insisted on delay; and expressed his own objections to the scheme.¹⁵³

MR. INSP. GEN. HINCKS was astonished at the objections of the hon. member for Kingston, who was a member of the Railway Committee, by whom these resolutions were considered and approved. It was exceedingly desirable that the House should express an opinion for or against the scheme, without further loss of time.¹⁵⁴

MR. MACDONALD [Kingston] said that further study of the subject had satisfied him that¹⁵⁵ nothing was more remarkable than the manner in which the wool had been drawn over the eyes of the Inspector General by Messrs. Howe and Chandler. The interests of the Province had been completely given up¹⁵⁶. [The] present scheme would sacrifice the interest of Western Canada in the most unheard of and wanton manner¹⁵⁷ to the two Provinces of Nova Scotia and New Brunswick.¹⁵⁸ He (Mr. M'D.) could not doubt after reading Mr. Howe's report, that this section of the Province had been completely sold, for the advantage of Lower Canada, Nova Scotia, and New Brunswick. We were to have more than our share of liabilities, and but a fraction

of the profits.¹⁵⁹ The Hon. Inspector General had made a long speech on the same subject a night or two ago; but he had forgotten to mention one thing, and that was, the rival road, which was to be built through Nova Scotia to the boundary of Maine, by a grant of £1,200,000. In addition to this new light there was something else; and it was--that Mr. Howe chuckled over the idea of the manner in which he was to sell the property of this Province to pay for the railway, which was to become the property hereafter of Nova Scotia and New Brunswick. Mr. Howe told the people of Nova Scotia that they had no Crown Lands, and New Brunswick not many, while Canada had an immense tract, which would be sold to pay for the road built on joint account, and that this road would afterwards become the property of Nova Scotia.--Besides, where was the assurance that we should get £7,000,000? The British Government did not say so; the Inspector General did not say so; and all that was said was, that the money would be given to construct the road from Halifax to Quebec. So that if that road cost only £4,500,000, that was all that would be granted. New Brunswick had got this £1,200,000 by refusing to have anything to do with the project until she did so. Why should not Canada do the same?¹⁶⁰ He was surprised that the Inspector General, with all his experience and financial skill, should have been so completely entrapped. The sincerity of that hon. gentleman could not be questioned, but in this instance his sanguine temperament had outrun his ordinary judgment. Our present financial position was highly creditable to the Province and to the Inspector General; our bonds had gone up in the London market with the rapidity of a rocket; but if some better bargain be not made in this matter than had already been effected, they would come down like a stone. They would sink from 109 to 80, if this guarantee were given, with no better assurance of securing our share of the advantages than we already possessed.¹⁶¹

MR. INSP. GEN. HINCKS explained.¹⁶² [He] said he had nothing to do with the proposition made to New Brunswick; and as to that portion of the road between Quebec and Montreal that was clearly included in the guarantee. It was to be kept separate, because the government of Canada thought that a portion of a paying line, and would accept no partnership in it. He thought there was no reason why the Imperial Government should not give a further guarantee for the line west of Montreal. He ridiculed the idea of danger from the competing line through New Brunswick, believing there was enough for all these roads; and he repeated that in the agreement between the three Governments,¹⁶³ that Nova Scotia, so far from cheating Canada, had acted most liberally, and in a manner that would tend greatly to the advantage of Canada.¹⁶⁴

MR. CAYLEY repeated his quotations from Mr. Howe's report to disprove the Inspector General's opinion.¹⁶⁵

After some further discussion the amendment was lost¹⁶⁶.

Another ineffectual attempt to carry an adjournment was made by MR. CAYLEY¹⁶⁷.

The resolutions were severally put, and agreed to¹⁶⁸ 29 to 19.¹⁶⁹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had come to several Resolutions.

Ordered, That the Report be received to-morrow.

Supply Bill.

The Order of the day for the second reading of the Bill for granting to Her Majesty certain sums required for defraying certain Expenses of the Civil Government for the year 1851, and certain other Expenses connected with the Public Service, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until
to-morrow.

Then, on motion of Mr. Cauchon, seconded by Mr. Fortier,
The House adjourned. 170

APPENDIX: 12 August 1851.

[WITHDRAWN MOTION AND AMENDMENT RE: ST. JOHN'S CHURCH, PETERBOROUGH.]¹⁷¹

The third reading of bill for the Sale of part of the endowment of St. John's Church Peterborough ... [was moved].¹⁷²

MR. RICHARDS moved in amendment, that a rider he added declaiming that nothing contained in the said bill should be taken to affirm or deny the validity of the bill to the said rectory or any other rectory in Upper Canada.¹⁷³

The Rider was read twice.¹⁷⁴

MR. SHERWOOD expressed his intention to vote against that Rider. It would destroy the whole bill, for no person would lay out money for this land, unless he knew that his title would be secure. The land in question was land given before the endowment of the Rectories, and though mixed up with the subsequent endowment, ought not to be rendered insecure to its purchasers on that account.¹⁷⁵

MESSRS. AT. GEN. BALDWIN and INSP. GEN. HINCKS spoke to a similar purport.¹⁷⁶

A reply [came] from MR. RICHARDS¹⁷⁷.

The motion and amendment were withdrawn for the moment in order to give time for the preparation of a rider in an unobjectionable shape.¹⁷⁸

FOOTNOTES: 12 AUGUST 1851.

1. The following papers noted the debate on this matter in identical accounts: GLOBE, 14 August 1851, PILOT, 19 August 1851; BRITISH COLONIST, 15 August 1851, MONTREAL GAZETTE, 16 August 1851, HAMILTON SPECTATOR, 16 August 1851, and NORTH AMERICAN, 22 August 1851.
2. BRITISH COLONIST, 15 August 1851.
3. The following papers reported the debate on this matter in identical accounts: GLOBE, 14 August 1851, PILOT, 19 August 1851; BRITISH COLONIST, 15 August 1851, MONTREAL GAZETTE, 16 August 1851, HAMILTON SPECTATOR, 16 August 1851, which misdated the debate as 15 August 1851, and NORTH AMERICAN, 22 August 1851.
4. BRITISH COLONIST, 15 August 1851.
5. GLOBE, 14 August 1851.
6. BRITISH COLONIST, 15 August 1851.
7. IBID.
8. GLOBE, 14 August 1851.
9. BRITISH COLONIST, 15 August 1851.
10. IBID.
11. GLOBE, 14 August 1851.
12. BRITISH COLONIST, 15 August 1851.
13. GLOBE, 14 August 1851.
14. IBID.
15. BRITISH COLONIST, 15 August 1851.
16. GLOBE, 14 August 1851.
17. BRITISH COLONIST, 15 August 1851.
18. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 15 August 1851, MONTREAL GAZETTE, 16 August 1851, HAMILTON SPECTATOR, 16 August 1851, which misdated the debate as 15 August 1851, and NORTH AMERICAN, 22 August 1851. The following papers noted the debate in identical accounts: MORNING CHRONICLE, 14 August 1851, PILOT, 14 August 1851, and OTTAWA CITIZEN, 23 August 1851.
19. BRITISH COLONIST, 15 August 1851.
20. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 14 August 1851, PILOT, 14 August 1851, and OTTAWA CITIZEN, 23 August 1851. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 14 August 1851, BRITISH COLONIST, 15 August 1851, HAMILTON SPECTATOR, 16 August 1851, which misdated the debate as 15 August 1851, MONTREAL GAZETTE, 18 August 1851, PILOT, 19 August 1851, EXAMINER, 20 August 1851, and NORTH AMERICAN, 22 August 1851. EXAMINER, 13 August 1851, noted the debate. Commentaries appeared in: HAMILTON SPECTATOR, 16 August 1851; and JOURNAL DE QUEBEC, 14 August 1851.
21. BRITISH COLONIST, 15 August 1851.
22. MORNING CHRONICLE, 14 August 1851.
23. BRITISH COLONIST, 15 August 1851.
24. GLOBE, 14 August 1851.
25. BRITISH COLONIST, 15 August 1851.
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27. BRITISH COLONIST, 15 August 1851.
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48. EXAMINER, 20 August 1851.
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58. BRITISH COLONIST, 15 August 1851.
59. GLOBE, 14 August 1851.
60. IBID.
61. BRITISH COLONIST, 15 August 1851.
62. GLOBE, 14 August 1851.
63. BRITISH COLONIST, 15 August 1851.
64. GLOBE, 14 August 1851.
65. IBID.
66. BRITISH COLONIST, 15 August 1851, and MONTREAL GAZETTE, 18 August 1851, reported that Stevenson "was entirely inaudible in the gallery."
67. GLOBE, 14 August 1851.
68. IBID.
69. BRITISH COLONIST, 15 August 1851.
70. GLOBE, 14 August 1851.
71. BRITISH COLONIST, 15 August 1851.
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127. IBID.
128. IBID.
129. BRITISH COLONIST, 15 August 1851.
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141. BRITISH COLONIST, 15 August 1851.
142. GLOBE, 14 August 1851.
143. IBID.
144. IBID.
145. BRITISH COLONIST, 15 August 1851.
146. GLOBE, 14 August 1851.

147. IBID.
148. BRITISH COLONIST, 15 August 1851.
149. GLOBE, 14 August 1851.
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151. IBID.
152. IBID.
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156. BRITISH COLONIST, 15 August 1851.
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162. IBID.
163. BRITISH COLONIST, 15 August 1851.
164. GLOBE, 14 August 1851.
165. IBID.
166. BRITISH COLONIST, 15 August 1851.
167. GLOBE, 14 August 1851.
168. IBID.
169. BRITISH COLONIST, 15 August 1851.
170. GLOBE, 14 August 1851, PILOT, 19 August 1851, and JOURNAL DE QUEBEC, 14 August 1851, noted that the debate lasted until two o'clock in the morning.
171. The following papers reported the debate on this matter in identical accounts:
BRITISH COLONIST, 15 August 1851, MONTREAL GAZETTE, 16 August 1851, HAMILTON
SPECTATOR, 16 August 1851, which misdated the debate as 15 August 1851, and
NORTH AMERICAN, 23 August 1851.
172. BRITISH COLONIST, 15 August 1851.
173. IBID.
174. IBID.
175. IBID.
176. IBID.
177. IBID.
178. IBID.

WEDNESDAY, 13 AUGUST 1851.

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Petitions read.

PURSUANT to the Order of the day, the following Petitions were read:--

Of the Reverend James C. Muir, and others, Minister, Kirk Session and Congregation of North and South Georgetown, County of Beauharnois, in connexion with the Church of Scotland; praying for the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the Public Service.

Of Jonas Canniff and others, Members of the Wesleyan Methodist Church in Belle-ville,--and of William Crowe, Chairman, and William Stevenson, Secretary, on behalf of a public meeting of the Members and Friends of the Wesleyan Methodist Church of Guelph; praying that the Bill to incorporate the Benevolent Societies of the Wesleyan Methodist Church in Canada may not pass into Law.

Of Jean Baptiste Pâquet and others, Militiamen, who served in the incorporated Militia during the late War with the United States; complaining that in consequence of the misinterpretation of the Law by the Officers of the Crown Lands Department for Lower Canada, they have failed in obtaining the compensation intended for their Militia services, and praying for the passing of an Act for their relief in the premises.

Two Bills relating to Mechanics.

Mr. Boulton of Toronto reported from the Select Committee on the Bill for the better security of Mechanics and others erecting buildings and furnishing materials therefor, in the several Cities and Towns in this Province,--and on the Bill to prohibit the payment of Mechanics and Artificers in certain Trades, of wages in goods, or by way of truck, or otherwise than in the current coin of this Province, with an Instruction to the Committee to confine the operation of the last mentioned Bill to the City of Toronto only, That the Committee had gone through both the Bills, and made amendments unto each of them.

Ordered, That the Bills and Report be committed to a Committee of whole House.

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Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Smith of Frontenac took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Frontenac reported, That the Committee had gone through the said Bills, and directed him to report the Bill for the better security of Mechanics and others erecting buildings and furnishing materials therefor, in the several Cities and Towns in this Province, without any amendment; and also, That the Committee had made amendments to the Bill to prohibit the payment of Mechanics and Artificers in certain Trades, of wages in goods, or by way of truck, or otherwise than in the current coin of this Province.

Ordered, That the Report be received to-morrow.

Bill relative to Toll Gates in Cities, &c.

Mr. Boulton of Toronto reported from the Select Committee on the Bill to prohibit the erection of any Toll-Gate or Toll-Bar which may intercept the free passage of the inhabitants of Cities, Towns or Villages within this Province, in passing from one portion of such Cities, Towns or Villages to other portions of the same Cities, Towns or Villages respectively, That the Committee had gone through the Bill, without making any amendment thereunto.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

On motion of Mr. Armstrong, seconded by Mr. Morrison,

Berthier
Academy Bill.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Directors of the Berthier Academy," be read a second time this day.

Petition to
be printed.

Ordered, That the Petition of Henry Allen, of the City of Toronto, Esquire, Barrister, and heretofore Judge of the District of London, be printed for the use of the Members of this

House.

Municipal Laws
(L.C.) Amend-
ment Bill.

Ordered, That the Honorable Mr. Price have leave to bring in a Bill to amend the Municipal Laws of Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Wolfe Island,
Kingston, and
Toronto Rail-
road Bill.

Ordered, That the Honorable Mr. Macdonald have leave to bring in a Bill to revive and amend the Act incorporating the Wolfe Island, Kingston and Toronto Railroad Company, and that the Rules of this House be suspended as regards the same.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Agriculture
(L.C.) En-
couragement
Bill.

Ordered, That Mr. Taché have leave to bring in a Bill for the encouragement of Agriculture in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Petition of
J.B. Pâquet
and others.

Mr. Laurin moved, seconded by Mr. Guillet, and the Question being put, That the Petition of Jean Baptiste Pâquet and others, Militiamen, who served in the incorporated Militia during the late War with the United States, complaining that in consequence of the misinterpretation of the Law by the Officers of the Crown Lands Department for Lower Canada, they have failed in obtaining the compensation intended for their Militia services, and praying for the passing of an Act for their relief in the premises, be printed for the use of the Members of this House; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Bouthillier, Chabot, Dickson, Fournier, Fourquin, Gugy, Guillet, Jobin, Lacoste, LaTerrière, Laurin, Lemieux, Malloch, McLean, Prince, Robinson, and Smith of FRONTENAC.--(19.)

NAYS.

Messieurs Armstrong, Burritt, Cauchon, Christie, Fergusson, Holmes, Solicitor General Macdonald, McConnell, McFarland, Merritt, Mongenais, Morrison, Notman, Polette, Price, Richards, Sanborn, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, Taché, and Viger.--(24.)

So it passed in the Negative.

Bill relating
to Real Property
illegally de-
tained.

Ordered, That the Amendment made by the Legislative Council to the Bill, intituled, "An Act to provide a more summary and less expensive process for proprietors of real property in Lower Canada to acquire the possession thereof when

illegally detained from them in certain cases," be now taken into consideration.

The House proceeded accordingly to take the said Amendment into consideration; and the same was read, as followeth:--

Press 5, line 2. After "only" insert "and shall continue in force for two years, and from thence until the end of the then next Session of the Parliament of this Province, and no longer."

And the said Amendment, being read a second time, was agreed to.

Ordered, That Mr. Sanborn do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their Amendment.

Berthier
Academy Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Directors of the Berthier Academy," being

read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Public
Business.

The Honorable Mr. Sherwood moved, seconded by Mr. Notman, and the Question being put, That this House will this day proceed first to the consideration of the items on the Orders of the day, which refer to Committees of the whole House on Private or Local Bills; the House divided:--And it was resolved in the Affirmative.

Quebec City
Water Supply
Bill.

And the Order of the day for the House in Committee on the Bill further to amend the Act for supplying the City of Quebec, and parts adjacent thereunto, with water, being read;

The House accordingly resolved itself into the said Committee.

Mr. Sanborn took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Sanborn reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

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St. Louis de
Lotbinière
Parish Regis-
ters Bill.

The Order of the day for the House in Committee on the Bill to remedy as far as possible the inconvenience which might otherwise arise from the destruction of the Registers of the Parish of St. Louis de Lotbinière, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Price took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Price reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

The Honorable Mr. Price reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Canada West
Farmers Mutual
and Stock In-
surance Bill.

The Order of the day for the House in Committee on the Bill to incorporate "The Canada West Farmers' Mutual and Stock Insurance Company," being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Cameron of Cornwall took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Cameron of Cornwall reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Montreal
Corporation
Bill.

The Order of the day for the House in Committee on the Bill to amend and consolidate the provisions of the Ordinance to incorporate the City and Town of Montreal, and of a certain Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal, being read;

The House accordingly resolved itself into the said Committee.

Mr. Hopkins took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Hopkins reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Sydenham
Mountain Road
Act Amendment
Bill.

The Order of the day for the House in Committee on the Bill to amend the Sydenham Mountain Road Act, and to vest in George Rolph, Esquire, his heirs and assigns, certain privileges therewith connected, being read;

The House accordingly resolved itself into the said Committee.

Mr. Meyers took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Meyers reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Hamilton
Court House
Square Bill.

The Order of the day for the House in Committee on the Bill to authorize the Municipal Council of the United Counties of Wentworth and Halton to dispose of a part of the present Court House Square, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Merritt took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Merritt reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Wesleyan
Benevolent
Societies Bill.

The Order of the day for the House in Committee on the Bill to incorporate the Benevolent Societies of the Wesleyan Methodist Church in Canada, being read;

Mr. Flint moved, seconded by Mr. Johnson, and the Question being proposed, That this House do now resolve itself into the said Committee;¹

MR. NOTMAN referred to several petitions presented against this bill, and said that several parties belonging to the Methodist persuasion had arrived in town this morning and had protested, in the strongest terms, against this bill, which had been hid from them so that they had known nothing about it till now.--The bill had been got up in Toronto and had never been submitted to the Methodist body generally. Another petition numerously argued was on the way from Halifax to the House, and all that these parties desired was merely that this bill be not forced

upon them this session until they have an opportunity to see what it contains. He hoped therefore that in justice to the great body of the Methodist persuasion the House would consent to let this bill lie over for another session.²

MR. MORRISON wished that the House would allow the matter to be deferred for the present. It is a matter which is opposed by the Methodist people generally, throughout the country, and ought not in justice to be thrust upon them.³

DR. SMITH opposed the bill, as he considered it contrary to the wishes of the Methodists generally. He had received a letter this morning from a very influential person of that persuasion, stating that the people of Bath were getting up a petition against this bill. They merely ask for delay until they have an opportunity of examining the bill and expressing their views upon it. He hoped the House would not press this measure.⁴

MR. JOHNSON stated that he had received petitions praying that this bill be not passed.⁵

MR. NOTMAN moved, in amendment, that the order to go into committee be postponed for three months.⁶

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Mr. Notman moved in amendment to the Question, seconded by Mr. Fergusson, That the word "now" be left out, and the words "this day three months" added at the end thereof;

MR. FLINT said it seemed hard that after this bill had been so long before the country, it should now receive all this opposition. It had been stated that this bill was got up in a clandestine manner--but he denied that. The methodist ministers are beyond the suspicion of such a thing. Prior to last Session of Parliament, the Wesleyan ministers gave notice of such a bill in the Canada Gazette--that notice remained there six months, and the bill was printed and 250 copies were distributed. A dozen of these he sent to influential persons in his own county. He was surprised that so much opposition should be brought forward; but he was convinced that it was got up by persons of the church, operating upon certain parties who pretend to belong to that body. He had been connected with that body and had held a seat at its Conference Board for many years, and had an opportunity of knowing and studying the regulations of that church more perhaps than any man present. The hon. member proceeded to read from the constitution of the Methodist Church, to show that the bill was founded upon it. He was going on to show that they could not alter this constitution, when--⁷

MR. CARTIER and others, cried--move, move--you shall get your bill--we will vote for you.⁸

MR. FLINT said he would not submit to withdraw his bill, as he was satisfied the House would do justice to the parties whose interests he was defending.⁹

MR. BELL wished to say that he would vote against the amendment, but he hoped the hon. member would consent to withdraw the bill for the present, as it seemed to be opposed to so many Methodists themselves.¹⁰

MR. MACKENZIE replied to the various members in the House who had opposed this measure, and wished to know if the Christian Guardian had ever printed one line of that bill.¹¹

MR. FLINT.--They have.¹²

MR. MACKENZIE would defy him to show that one line had been printed to give information as to the bill. He represented a constituency in which was a large pro-

portion of Methodists, and he believed that the bill would be contrary to their wishes. The bill gives to a few leading ministers all the control, and makes ciphers of the people. The Guardian accuses those who opposed this bill of a hypocritical sympathy with the Methodists. He could not be accused of this sort of sympathy. But he was satisfied that when hon. members one after another rise up, as the hon. member for Middlesex and others have done, and say that they are convinced that this bill is contrary to the wishes of the Methodists generally, the House would not press this measure upon these people. The Methodists have managed their affairs here for half a century without such an act of incorporation, and they could go along yet without it.--Neither Presbyterians nor other denominations with the exception of the Church of England and the Catholics, had any such incorporation, and he could not find in the whole continent of America such an act of incorporation as this.¹³

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Burritt, Fergusson, Hall, Hopkins, Macdonald of KINGSTON, Mackenzie, McConnell, Morrison, Notman, Sanborn, Scott of TWO MOUNTAINS, Smith of DURHAM, and Smith of WENTWORTH.--(13.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fournier, Fourquin, Jobin, Johnson, LaTerrière, Laurin, Letellier, Malloch, Merritt, Meyers, Mongenais, Robinson, Seymour, Sherwood of BROCKVILLE, and Sherwood of TORONTO.--(30.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Chabot took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Chabot reported, That the Committee had gone through the Bill, and made amendments thereunto.

And the Question being put, That the Report be now received;

MR. MORRISON moved that it be received this day six months.¹⁴

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fournier, Fourquin, Jobin, Johnson, LaTerrière, Laurin, Letellier, Malloch, Meyers, Mongenais, Robinson, Sauvageau, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Viger.--(31.)

NAYS.

Messieurs Burritt, Fergusson, Hall, Hopkins, Macdonald of KINGSTON, Mackenzie, McConnell, Morrison, Notman, Sanborn, Smith of DURHAM, and Smith of WENTWORTH.--(12.)

So it was resolved in the Affirmative.

The Honorable Mr. Chabot reported the Bill accordingly; and the amendments were read, and agreed to.

Mr. Flint moved, seconded by Mr. Malloch, and the Question being proposed, That the Bill be engrossed, and read the third time to-morrow;

MR. MORRISON then read a clause from the constitution of the Methodist Church, to show that the bill was contrary to it. The bill sought to incorporate six or seven persons, and give them full power to manage the affairs of that church, and when these die out or leave the country, they have the power to nominate their successors.--This is not the principle upon which any incorporation should be based; and he would ask Lower Canada members if they believe this is the kind of bill the Methodist party of Upper Canada desire. He was aware that Lower Canada members believe that their church requires such incorporations; but he would tell them that the Methodist body do not require such a thing; and he was convinced that many of the members present, who had voted for the measure, had not read the bill. He would not have opposed the measure so much, had he not seen petitions from so many places, praying that this bill may be deferred.--They would lose nothing by deferring it, and he hoped the house would agree to them. He would move, therefore, that the bill be not now engrossed.¹⁵

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Mr. Morrison moved in amendment to the Question, seconded by Mr. Notman, That the word "to-morrow" be left out, and the words "this day three months" added in-

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stead thereof;

MR. G. SHERWOOD had sent several copies of the bill to his constituents, and had received no petition against the measure, and therefore, did not think it was so contrary to the wishes of the people as was stated.¹⁶

MR. MACDONALD considered, that from the almost general opposition to this bill, it was but justice that the house should defer the measure for the present.¹⁷

MR. SANBORN also urged delay for the present.¹⁸

MR. FLINT wished to explain that much of the opposition had been got up by mistaken views. It had been said that there were no petitions in favor of it; but this was also a mistake; and in reference to these very petitions against it, he found the first one--that from Hamilton--contained the names of seven persons who were not members of the Methodist body.¹⁹

MR. NOTMAN--Name.²⁰

Several--No, no.²¹

MR. FLINT continued, and urged the third reading of the bill.²²

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Burritt, Fergusson, Hall, Macdonald of KINGSTON, Mackenzie, McConnell, Morrison, Notman, Sanborn, Scott of TWO MOUNTAINS, Smith of DURHAM, and Smith of WENTWORTH.--(12.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cayley, Chabot, Christie, Crysler, Dickson, Duchesnay, Flint, Fortier, Fournier, Fourquin, Guillet, Jobin, Lacoste, LaTerrière, Laurin, Letellier, Malloch, McLean, Merritt, Mongenais, Polette, Robinson, Sauvageau, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, and Taché.--(35.)

So it passed in the Negative.

And the Question being proposed, That the Bill be engrossed, and read the third time to-morrow;

MR. MACKENZIE then rose to move the amendment, of which he had given notice.²³

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Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Notman, That all the words after "be" to the end of the Question be left out, in order to add the words "recommitted for to-morrow, for the purpose of leaving out all the words after 'Whereas' in the first line, and adding the following instead thereof: 'it has been represented to the Legislature of this Province, that the Ministers and Members of the Wesleyan Methodist Church in Canada, in connexion with the British Wesleyan Conference, have established themselves together under a Constitution, intituled, 'The Doctrines and Discipline of the Wesleyan Methodist Church in Canada,' and certain other rules and regulations, creating and establishing 'The Missionary Society of the Wesleyan Methodist Church in Canada,' and 'The Book and Printing Establishment,' and 'The Contingent Fund,' 'The Annuitant Fund Society,' and 'The Superannuated or Worn-Out Preachers' Fund,' and 'The Chapel Relief Fund,' and have contributed considerable sums of money for the following objects, that is to say: First: For the support and enlargement of the Missions among the Indians, and in the new and destitute settlements of the country and elsewhere. Secondly: For the publication and circulation of Periodicals and Books for the diffusion of useful knowledge. Thirdly: For making up the deficiency of new and feeble Circuits, and to assist Ministers in time of personal and family affliction, and to pay various connexional expenses. Fourthly: For the support of aged and infirm Ministers, and the Widows and Children of deceased Ministers. Fifthly: For the building of places of Worship, and for the relief of Churches in distressed and embarrassed circumstances: And whereas it would tend to promote the purposes of the said Association, that the Church in its collective capacity should be incorporated under the name and style of 'The Wesleyan Methodist Church in Canada,' and be empowered to hold property in mortmain, without letters of license, to the amount of Twenty-five thousand pounds, not including Churches, Burying Grounds, Parsonages, and School Houses, or other institutions of learning, and to manage, administer, alienate or dispose of the same for the use and purposes aforesaid, and to make and enforce laws, rules and regulations for the government of said Corporation, and for better attaining the purposes aforesaid: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, 'An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada;' and it is hereby enacted by the authority of the same, That the Members of said Church, in their corporate capacity, in each Circuit, as the Circuits are now constituted or may hereafter be constituted, each Circuit being a part of said Corporation, shall, and they are hereby authorized to choose one or more representatives, lay or clerical, the number not to exceed three for each Circuit, for the purpose of making laws, rules and regulations for the governing of the said Corporation and for the better regulation thereof; and that the said delegates so chosen, may and shall annually hold meetings at any place in the said Province that to them may seem meet, for the purposes aforesaid.

"And be it enacted, That all lands, messuages, tenements, hereditaments, or movable property, and all sums of money, goods, chattels, effects or movable property, which have been or shall hereafter be paid, given, granted, purchased, appropriated, devised or bequeathed, in any manner or way whatsoever, to, for, or in favor of said Corporation, and for the use and purposes aforesaid, not exceeding Twenty-five thousand pounds, shall and are hereby vested in the said Corporation to and for the uses aforesaid, in such manner and form, and subject to such laws, rules, and

regulations, as may be made by the delegates so chosen as aforesaid; and the said delegates so chosen, shall have power and authority to alienate or exchange, and to demise, let and lease for any term of years, such messuages, lands, tenements, hereditaments and immovable property as shall be as aforesaid given, granted, purchased, appropriated, devised or bequeathed to the said Corporation, for all or any of the purposes aforesaid, and to take the purchase money, consideration, rents, issues or profits thereof, and shall receive, take and hold such purchase money, consideration or price, rent, issue or profit for the uses and purposes hereinbefore mentioned and set forth, or some or one of them, and for no other.

"And be it enacted, That the delegates so chosen, or the major part of them, who shall be present at any annual meeting of said delegates as aforesaid, not being fewer in number than twenty-five, shall, and they are hereby authorized, to make and ordain any constitution, laws, rules and regulations whatsoever, which to them or the major part of them may seem meet, (their number not being fewer than twenty-five as aforesaid,) reasonable or requisite touching or concerning the well-ordering and government of the said Corporation and the affairs and business thereof, and the due administration and improving the property thereof, and such constitution, laws, rules and regulations in like manner from time to time, to abridge, repeal, change or alter, as may be found expedient, which constitution, laws, rules and regulations shall be binding upon, and shall be observed, performed, and kept by the members of said Corporation; Provided always that the same shall not be repugnant or contrary to the laws in force in this Province.

"And be it enacted, That one-third of the representatives so chosen shall retire from office at the end of two years from their first annual meeting, the same to go out of office by ballot of said representatives at their third annual meeting, but shall retain their office until other representatives are chosen in their place, in manner aforesaid, and further, that nothing shall prevent any of the said rep-

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representatives so going out from being chosen again for the before mentioned purposes, from such circuits as their members have retired as before mentioned, and that at every annual meeting that shall be held after the third annual meeting, one-third of those members who shall have been longest in office shall retire by ballot of said representatives, but shall not go out of office until others are elected in their places in manner aforesaid, and the members thus going out shall be eligible for re-election.

"And be it enacted, That nothing herein contained shall affect or be construed to affect in any manner or way, the rights of Her Majesty, Her Heirs or Successors, or of any person or persons, or of any body politic or corporate, such only excepted as are hereinbefore mentioned and provided for.

"And be it enacted, That this shall be a Public Act;"

MR. MACKENZIE referred to the remarks that had been made, and said that this was a question of civil and religious liberty, and if we were to vote a dishonest and corrupt constitution to the Methodists to-day, the very vote we give may be used as a precedent to vote 900,000 acres of more property to the Roman Catholic Church when they ask for it. (Hear, hear.) Mr. Mackenzie proceeded, amidst considerable buzzing from Lower Canada members, to refer to the stand the Scottish Church had made in the disruption. He then referred to the state of Lower Canada, as regards education, more particularly alluding to 1837, when they might have found, out of some spiritual institutions some 200 or 300 notaries and advocates representing the mass of the people, who were left without even the elements of knowledge.²⁴

MR. CHAUVEAU--It is not true.²⁵

Several others--It is false.²⁶

MR. MACKENZIE proceeded amongst considerable disturbance, to refer to the dis-

turbance in the country which such a system created, and said we see the very same here. Those very members are come here to crush and put down the rights of the people of Upper Canada. (Hear, hear; we do no such thing, &c., &c.) There was no man had done more for Lower Canada than he had done; and now all that he had got was the taunts and the jeers of Lower Canada members, as if they were the result of his doing his duty to the country. He did desire to see this a free and happy country; and no country could ever be free or happy if governed by shovel hats, or any other garb of that kind. He then referred to some points in the amendment he had submitted.²⁷

MR. MORRISON said he was opposed to all legislation for churches, and was opposed to the amendment, as well as the bill.²⁸

The amendment was then put²⁹.

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The House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Burritt, Fergusson, Mackenzie, McFarland, Notman, and Smith of WENTWORTH.--(6.)

NAYS.

Messieurs Badgley, Bell, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cayley, Chabot, Chauveau, Christie, Crysler, Dickson, Duchesnay, Flint, Fortier, Fournier, Fourquin, Guillet, Jobin, Lacoste, LaTernière, Laurin, Letellier, Macdonald of KINGSTON, Malloch, McConnell, McLean, Meyers, Mongenais, Morrison, Palette, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, and Taché.
--(37.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Bill to enable
C.R. Wilkes to
convey certain
Real Estate.

The Order of the day for the House in Committee on the Bill to enable Caira Robbins Wilkes, the wife of George Samuel Wilkes, of Brantford, Esquire, to convey by herself certain Real Estate devised to her by her late father, being read;

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Dickson reported, That the Committee had gone through the Bill and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

St. Lawrence
and Lake
Champlain
Railroad
Branch Bill.

The Order of the day for the House in Committee on the Bill to empower the Saint Lawrence and Lake Champlain Railroad Company to make a Branch Road to the Province Line east of the River Richelieu, and to construct a Bridge over the said River, being read;

The House accordingly resolved itself into the said Committee.

Mr. Lyon took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Lyon reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Quebec Music
Hall Associa-
tion Bill.

The Order of the day for the House in Committee on the Bill to incorporate the Quebec Music Hall Association, being read;
The House accordingly resolved itself into the said Committee.
The Honorable Mr. Robinson took the Chair of the Committee;

and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Robinson reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Port Burwell
Harbour Com-
pany Bill.

The Order of the day for the House in Committee on the Bill to amend the Act incorporating the Port Burwell Harbour Company, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Cayley took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Cayley reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Montreal and
Vermont Rail-
way Bill.

The Order of the day for the House in Committee on the Bill to amend and extend the Act incorporating the Montreal and Vermont Junction Railway Company, being read;

The House accordingly resolved itself into the said Committee.

Mr. Flint took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Flint reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Flint reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Toronto and
Guelph Rail-
way Bill.

The Order of the day for the House in Committee on the Bill to amend an Act, intituled, "An Act for incorporating the Toronto and Goderich Railway Company," and to continue the same as amended, under the name of "The Toronto and Guelph Western

Extension Railway Company," being read;

The House accordingly resolved itself into the said Committee.

Mr. Taché took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Taché reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Western Assur-
ance Company
Bill.

The Order of the day for the House in Committee on the Bill to incorporate the Western Assurance Company, being read;

The House accordingly resolved itself into the said Committee.

Mr. McLean took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. McLean reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Sons of Tem-
perance Bill
(U.C.).

The Order of the day for the House in Committee on the Bill to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance in Canada West, being read;

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The House accordingly resolved itself into the said Committee.

Mr. Chauveau took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chauveau reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Bill relating to
the Great
Cranberry Marsh.

The Order of the day for the House in Committee on the Bill to authorize the County of Welland Municipal Council to purchase certain Lands in the said County, known as the Great Cranberry Marsh, and for other purposes, being read;

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Dickson reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Toronto
School of
Medicine Bill.

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Toronto School of Medicine," being read;

The House accordingly resolved itself into the said Committee.

Mr. Crysler took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Crysler reported, That the Committee had gone through the Bill, and made Amendments thereunto.

Ordered, That the Report be now received.

Mr. Crysler reported the Bill accordingly; and the Amendments were read, as follow:--

Press 3, line 6. Leave out "or Lower."

Press 3, line 8. Leave out "Boards, or either of them" and insert "Board."

Press 3, line 13. Leave out "or either of them."

Press 3, line 15. After "cases" insert Clause (A.)

Clause (A.) "And be it enacted, that when the Lectures in the said Toronto Medical School shall be in accordance with and on the subjects provided by the twelfth Section of the Act passed in the Session held in the tenth and eleventh years of Her Majesty's Reign, and intituled, 'An Act to incorporate the Members of the Medical Profession in Lower Canada, and to regulate the study and practice of Physic and Surgery therein,' then it shall in such case be lawful for any Candidate from the said School to present himself before the Medical Board of Examiners in Lower Canada for examination; and after undergoing a public examination, it shall and may be lawful for the said Board, being satisfied that the Candidate has complied with all the rules and regulations required in such case by the said Law, and by the College

of Physicians and Surgeons in Lower Canada, to grant such Candidate a certificate or such other credential as the said College in Lower Canada now can or hereafter may be empowered to grant."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Bill be read the third time to-morrow.

Montreal
Diocese Tem-
poralities Bill. An engrossed Bill to make provision for the management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other purposes therein mentioned, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

St. John's
Church (Peter-
borough) En-
dowment Bill. An engrossed Bill to provide for the sale of a portion of the endowment of St. John's Church in the Town of Peterborough, was, according to Order, read the third time.

Ordered, That the following engrossed Proviso be added to the Bill, by way of Rider, and do make part thereof: "Provided always that nothing herein contained shall be construed or held in any wise to recognize or deny the rightful or legal existence of such Rectory, or of any other Rectory in Upper Canada, or of the endowments of the same; and provided further, that whether the establishment of the said Rectory be hereafter decided to have been legal or illegal, any titles given to either of the lots authorized by this Act to be sold, shall be held valid and legal to all intents."

Resolved, That the Bill do pass.

Ordered, That Mr. Hall do carry the Bill to the Legislative Council, and desire their concurrence.

Manufactures
Encouragement
Bill. An engrossed Bill for incorporating and granting certain powers to a Company for the encouragement of Manufactures on the Welland Canal, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Merritt do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to
the expenses of
Light Houses. And engrossed Bill to repeal the Tonnage Dues imposed for defraying the expenses of maintaining Light Houses, and for other purposes connected with the navigation of the waters of this Province, and to provide for the payment of such expenses out of the Consolidated Revenue Fund, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Currency Act
Amendment
Bill. An engrossed Bill to extend the provisions of the Currency Act to certain Gold and Silver Coins coined after the periods in the said Act limited, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Decimal Currency Bill.

The Order of the day for the third reading of the engrossed Bill to provide for the introduction of the Decimal System into the Currency of this Province, and otherwise to amend the Laws relative to the Currency, being read;

The Honorable Mr. Price moved, seconded by Mr. McFarland, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Chabot, Christie, Dickson, Duchesnay, Flint, Fortier, Fournier, Fourquin, Guillet, Hall, Hopkins, Lacoste, LaTerrière, Lemieux, Mackenzie, McConnell, McFarland, McLean, Merritt, Méthot, Mongenais, Morrison, Polette, Price, Robinson, Scott of TWO

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MOUNTAINS, Seymour, Sherwood of TORONTO, Smith of DURHAM, Stevenson, and Viger.--
(35.)

NAYS.

Messieurs Malloch, Meyers, Sherwood of BROCKVILLE, and Smith of FRONTENAC.--(4.)
So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Crown Patents Fees Bill.

An engrossed Bill to extend the period for payment of Fees on Crown Patents, and for other purposes therein mentioned, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relative to the Election of Members in certain Townships.

An engrossed Bill to fix the place for holding the Polls for the Election of Members of Parliament in Townships divided into Wards, in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to fix the place for holding the Polls for the Election of Members of Parliament in Townships divided into Wards, in Upper Canada, and for other purposes relative to Elections."

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Maskinongé Common Bill.

Mr. Cauchon reported the Bill to revive and amend the Act relating to the Common of Maskinongé; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Fort Erie
and Buffalo
Suspension
Bridge Bill.

Mr. Burritt reported the Bill to incorporate the Fort Erie and Buffalo Suspension Bridge Company; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Recorders'
Courts (U.C.).

Mr. Notman, from the Committee to consider the expediency of making provision for defraying certain expenses of the Administration of Justice in the Recorders' Courts in Upper Canada, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient that the expenses of the Administration of Justice in Criminal cases, in the Recorders' Courts established under the provisions of the Act 12 Vic. cap. 81, shall be defrayed out of the Consolidated Revenue Fund of this Province, from and after the first day of January next, in like manner and to the like extent as the expenses attending the Administration of Justice in Criminal cases in the several Courts of Quarter Sessions in Upper Canada.

The said Resolution, being read a second time, was agreed to.

Bill relating
to Recorders'
Courts (U.C.).

Ordered, That Mr. Solicitor General Macdonald have leave to bring in a Bill to authorize the payment of certain expenses of the Administration of Justice in the Recorders' Courts in Upper Canada, out of the Consolidated Revenue Fund of this

Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Grand River
Navigation Bill.

Mr. Speaker,

The Legislative Council have agreed to the Amendment made by this House to the Bill, intituled, "An Act to authorize the Grand River Navigation Company to raise by way of loan, a certain sum of money, and for other purposes therein mentioned," without any Amendment: And also,

Bill relating
to Meetings
of Relations
and Friends.

The Legislative Council have passed the Bill, intituled, "An Act to allow Notaries to call meetings of relations and friends in certain cases without being thereto specially authorized by a Judge, and for other purposes," with several Amendments, to which they desire the concurrence of this House:

And also,

Census Bill.

The Legislative Council have passed the Bill, intituled, "An Act to provide more effectually for taking the periodical Census of the Province," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

Trunk Line of
Railroad through
the Province.

Mr. Boulton of Toronto, from the Committee to consider a series of proposed Resolutions on the subject of the construction of a Trunk Line of Railroad through the Province, and the expediency of amending the Act for affording the guarantee of the Province to Railroad Companies, and another reference, reported several Resolutions; which were read, as follow:--

1. Resolved, That as an act of justice to those who have advanced their money

upon Provincial Securities, and as the best means of sustaining the credit of the Province, and of readily commanding such further pecuniary assistance as may from time to time become necessary for our great Works of internal communication, it is expedient that the Legislature should pledge itself not to allow the Public debt and liabilities of the Province to be increased (except as regards any sum to be raised with the guarantee of the Imperial Government), without the consent of the Agents through whom Loans have been negotiated in England, or the previous payment or tender of payment of all Debentures then outstanding; and therefore that it is expedient to provide that the appropriations proposed in the following Resolutions, and the guarantee mentioned in the Act 12 Vic. cap. 29, shall be made and given so far only as it may be possible so to do without increasing the liabilities of the Province, except under the conditions aforesaid.

2. Resolved, That provided the Imperial guarantee can be obtained for raising the necessary funds, it is expedient that this Province should co-operate with the Provinces of Nova Scotia and New Brunswick in the construction of a Railroad from Quebec to Halifax, on British Territory, either by constructing the same on joint account with the said Provinces, or by constructing at the expense of this Province that portion of the said Railroad lying within Lower Canada.

3. Resolved, That provided the guarantee of the Imperial Government can be obtained for raising the funds necessary to construct a main Trunk Line Railroad from Quebec to the City of Hamilton, or some convenient point on the line of the Great Western Railroad, it is expedient that the whole of the said Trunk Line should be constructed by the Province as a Provincial work.

4. Resolved, That if the guarantee of the Imperial Government cannot be obtained for the whole of the funds required for the construction of the said Trunk

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Line, it will be expedient that one-half the said funds, or one-half the funds required for constructing that portion of the line for which the Imperial guarantee cannot be obtained, be raised on the credit of the Province, on the best terms on which it can be obtained, provided the remaining half shall have been subscribed for by Municipal Corporations in this Province.

5. Resolved, That in the case last mentioned, it will be expedient that the funds to be raised on the credit of the Province, without the Imperial guarantee, and those to be raised on the credit of Municipal subscriptions, be expended as nearly as may be in equal proportions, as the work advances in the several sections into which the line may be divided; and that for the sums to be raised on the credit of the said Municipal subscriptions, the Receiver General should be authorized to issue Debentures payable in not less than twenty years, and bearing the lowest rate of interest, not exceeding seven per cent., at which they can be negotiated at par, such Debentures, and the interest thereon, to be chargeable not upon the Consolidated Revenue Fund, but solely upon the Fund arising from the Municipal subscriptions aforesaid, and the Sinking Fund hereinafter mentioned.

6. Resolved, That as well the cost of that part of the said Railroad which is to be constructed with Funds to be raised partly on the credit of the Province and partly on that of the Municipal Subscription Fund, as all the expenses and outlay of any kind to be incurred while the work is in progress, shall be defrayed out of the Funds so raised; and that the Municipal Corporations subscribing as aforesaid, shall be called upon to pay interest on the sums for which they have subscribed, whenever at any time the said Fund, and their share of the profits from any part of the work which shall have been completed, shall be insufficient to pay the interest on the sums borrowed on the credit of the Municipal Subscription Fund, in which case they shall from time to time pay such sums to the Receiver General as may be sufficient, with any sums he may have in his hands applicable to the purpose, to enable him to pay such interest as it becomes due.

7. Resolved, That the share of the profits of the said Railroad, or any part thereof, which may belong to the said Corporations, and shall not be required to pay the interest on the sums raised on the credit of the Municipal subscriptions, shall be invested by the Receiver General, and shall, with the interest thereon, form a Sinking Fund for the redemption of the Debentures to be issued on the credit of the said Municipal subscriptions; and that the share of the said profits which shall belong to the Province, after deducting three and a half per cent. on the sums raised on the credit of the Consolidated Revenue Fund, shall be also invested by the Receiver General, and shall, with the interest thereon, form a Sinking Fund for the redemption of the Debentures to be issued on the credit of the Province; and the share which the Province and the said Municipal Corporations shall respectfully have in the profits of the said Railroad, shall be in proportion to the sums which shall have been raised on the credit of the Consolidated Revenue Fund and of the said Municipal Subscription Fund respectively.

8. Resolved, That if at any time after the expiration of two years from the completion of the said Railroad, it shall appear to the Receiver General that the Sinking Fund aforesaid will not produce enough to pay off the principal of the Debentures issued on the credit of the said Municipal Subscription Fund, at the time when the same shall become payable, it shall be lawful to him to add not exceeding three per cent. per annum, on the amount of such Debentures, to the sum which would otherwise be payable to him in any year by the said Municipal Corporations, and such per centage shall form part of the Sinking Fund.

9. Resolved, That it shall not be necessary that any Municipal Corporation subscribing any sum towards the said Railroad should, by the By-Law declaring such subscription, impose any rate in the pound, but that such By-Law shall authorize the proper officer to assess yearly on the taxable property in the Municipality, such rate as may be sufficient to produce a clear sum equal to that payable as aforesaid in such year to the Receiver General by reason of such subscription.

10. Resolved, That if it should be found impracticable to construct the said Railroad by either of the modes mentioned in the foregoing Resolutions, it will then be expedient to encourage the construction thereof by Private Companies, to whom the guarantee of the Province should be afforded under the Act 12 Vic. cap. 29, subject to the modifications mentioned in the following Resolutions; but that inasmuch as there is every reason to believe that the said Railroad can be constructed by one or other of the said modes, it is expedient that in the Charter of any Company to be incorporated for the construction of any Railroad which would form part of the said main Trunk Line, a clause should be inserted suspending its operation until an Order in Council shall be made and published declaring them to be in force.

11. Resolved, That it is highly desirable to afford every possible encouragement to the construction of Railroads in all parts of the Country; but that for the purpose of confining the liabilities of the Province within proper limits, and at the same time ensuring effectual aid to those undertakings which are most necessary to its progress and development, it is expedient to confine the guarantee offered by the said Act 12 Vic. cap. 29, to those Railroads which may form part of the said main Trunk Line (in case of its being constructed by Private Companies,) and to the St. Lawrence and Atlantic Railroad which has already received the said guarantee, and forms part of the said main Trunk Line--the Great Western Railroad which has been commenced and partly constructed on the faith of the said guarantee, and forms part of the said main Trunk Line,--and the Ontario, Simcoe and Huron Union Railroad, for the construction of which certain arrangements have been made in expectation of the said guarantee.

12. Resolved, That for better ensuring the attainment of the objects proposed in the said Act and these Resolutions, it is expedient to constitute a Board of Railway Commissioners, to consist of the Receiver General, the Inspector General,

the Commissioner and Assistant Commissioner of Public Works, and the Provincial Post Master General.

13. Resolved, That it is expedient to provide, that no Railway Company shall be entitled to the benefit of the said guarantee, until the said Board shall have examined and approved the Line selected for such Railroad, the intended gauge, weight of rail, and general mode of construction of the Road, and of the larger

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Bridges, Viaducts, and principal works upon such line, and shall have reported such approval to the Governor in Council, with their opinion that the Road is one which may advantageously form part of such main Trunk Line as aforesaid; that the Act incorporating the Company contains all such provisions as they think essential to the protection of the public interests, or that the Company have consented to the amendment of their Charter by the insertion of such provisions; and that the Road, when completed, will afford ample security to the Province against loss under the guarantee to be given with regard to it; except that the Ontario, Simcoe, and Huron Union Railroad Company shall be entitled to the said guarantee on complying with the other conditions aforesaid, although their Road does not form part of the said main Trunk Line.

14. Resolved, That it is expedient that any Company having received such approval as aforesaid, should be empowered, if the length of their Road exceeds 100 miles, to divide the same into sections of not less than 50 miles each, and being as nearly as the total length of the Road will admit, of 75 miles each, and that to each of such sections the said guarantee may be extended as if it were a separate Road.

15. Resolved, That it is expedient to provide, that the said guarantee shall not be given with regard to any Road or section until the said Board shall have reported to the Governor in Council that the land for the whole line thereof has been acquired and paid for, that a part of the work thereon has been completed to their satisfaction, and that the fair cost of the part so completed, including the fair cost of the land and of all materials then procured by, and the property of, the Company, (and not merely the sum the Company may have actually expended upon the same,) would not be less than the cost of the part remaining to be done, according to an estimate made upon tenders received and approved by the Company, and by the said Board, as fair and reasonable, in which case the guarantee of the Province may be granted for the sum necessary to complete such remaining part of the work according to such estimate.

16. Resolved, That it is expedient to provide, that no contract shall be entered into by any Company for the performance of work or the furnishing of materials for that part of their Road for the making whereof the said guarantee is to be granted, except with the approval of the said Board; that the said Board may suggest, and the Governor in Council may impose upon the Company such further conditions as they may think requisite for guarding the Province against loss; and that the guarantee may be granted to the Company from time to time, and as may be necessary, to enable them to meet their engagements under such contracts as aforesaid, when the work has been performed to the satisfaction of the said Board.

17. Resolved, That it is expedient to provide, that the said guarantee may, as regards those Companies only whose Railroads will form part of the said main Trunk Line, be extended to the payment of the principal of the sum guaranteed, as well as to the payment of the interest thereon, provided the Bonds guaranteed are made payable at periods previously approved by the Governor in Council, or that in his discretion Provincial Debentures for the amount to be guaranteed, or any part thereof, may be delivered to the Company in exchange for their Bonds, the due payment of which shall be secured by the special privileges mentioned in the said Act.

18. Resolved, That it is expedient to amend the said Act 12 Vic. cap. 29, in

accordance with the foregoing Resolutions, and that the provisions mentioned therein, and the declaration contained in the first Resolution, be embodied in an Act of the Legislature.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Attorney General LaFontaine, and the Question being proposed, That the said Resolutions be now read a second time;³⁰

MR. H. BOULTON remarked on the necessity of some specific information relating to the capabilities of Nova Scotia and New Brunswick, before entering into partnership with those Provinces in an undertaking of such magnitude as the proposed Railway. He had alluded to this point last night and had since investigated official documents in reference to it, and his search had satisfied him that neither Province had any revenue to apply to the contemplated guarantee. The joint revenues of Nova Scotia and New Brunswick were but £157,232, while their joint expenditure amounted to £155,557, leaving a balance of £1675³¹ to meet the £111,650 which would be due as their share of the guarantee for this project. On the other hand our revenue was large, increasing, and with judicious management, would continue to increase. It would, therefore, be madness to ally ourselves with those Provinces, except on terms differing from those now proposed.³² The information submitted by the Inspector General was vague and the reverse of reliable; and we should therefore refrain from committing ourselves to a scheme in which, under such circumstances a private capitalist would shrink with dismay. The hon. member concluded³³ by moving a resolution in amendment,³⁴ that the report be not received³⁵ [containing] a statistical statement of the above facts, and declaring that it was, therefore, improper to enter into the scheme of the railway, in conjunction with the governments of those Provinces.³⁶

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The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "That" to the end of the Question be left out, in order to add the words "it appears from the Public Accounts of Nova Scotia, recorded in the Appendix to the Journals of the Assembly of that Province, for the year 1850, page 149, that the probable Income for that year was estimated at Seventy-three thousand nine hundred and ninety-four pounds thirteen shillings, of which was required for permanent appropriation, Fifty thousand nine hundred and ninety-five pounds, and for by-gone transactions, Ten thousand nine hundred and sixty-seven pounds three shillings and eleven pence, making Sixty-one thousand nine hundred and sixty-two pounds three shillings and eleven pence, leaving for future application, Twelve thousand and thirty-two pounds nine shillings and one penny: That from the Public Accounts of New Brunswick, as recorded in the Appendix to the Journals of the Assembly of that Province, for the year 1850, page 357, it appears that their ordinary Revenue amounted to Eighty-three thousand two hundred and thirty-seven pounds nineteen shillings and six pence, while their Expenditure amounted to Ninety-three thousand five hundred and ninety-five pounds one shilling and six pence half-penny, exhibiting a deficit of Ten thousand three hundred and fifty-seven pounds two shillings and one half-penny: That the Revenue of Nova Scotia, of Seventy-three thousand nine hundred and ninety-four pounds thirteen shillings, and the Revenue of New Brunswick, of Eighty-three thousand two hundred and thirty-seven pounds nineteen shillings and sixpence, amount together to One hundred and fifty-seven thousand two hundred and thirty-two pounds twelve shillings and sixpence: That the Expenditure of Nova Scotia, of Sixty-one thousand nine hundred and sixty-two pounds three shillings and eleven pence, and the Expenditure of New Brunswick, of Ninety-three thousand five hundred and ninety-five pounds one shilling and sixpence half-penny, amount together to One hundred and fifty-five thousand five hundred and fifty-seven pounds five shillings and five pence half-penny, leaving

only a surplus of the combined Revenue of both Provinces, of One thousand six hundred and seventy-five pounds seven shillings and one half-penny applicable to purposes not then projected: That it would be most unwise in the People of Canada, although possessing a large and increasing Revenue of more than Seven hundred thousand pounds, per annum, to commence so gigantic an undertaking as the construction of a Railroad of six hundred and thirty-six miles in length, from Quebec to Halifax, at an estimated cost of Seven thousand five hundred pounds per mile, in conjunction with the Provinces of Nova Scotia and New Brunswick, in the apparent state of their finances, even should the work be otherwise favorably regarded, until those Provinces shall have provided specific ways and means for accomplishing their portion of the project" instead thereof;

MR. SHERWOOD opposed this amendment,³⁷ [and he] regarded as most invidious on the part of any member of this House, any such proceedings as that of the hon. member for Norfolk who had represented the Lower Provinces as unable to meet the habilities which they were about to undertake.³⁸ [It was] an attempt to hold up to the British Government and to British capitalists, the sister Provinces as totally unworthy of credit--as unable to complete their undertakings should they enter upon them.³⁹ It was highly improper in one Provincial Legislature to discuss the finances of other Provinces--to represent them as insignificant--and to put forth statements which could not fail to exercise a significant effect in the money market of England. If such an amendment were passed as that which the hon. member had moved--and which embodied the statistics which were contained in his speech--it would be tantamount to declaring the Provinces referred to insolvent, and would be so regarded elsewhere. Were such a course pursued toward ourselves, we should resent it as⁴⁰ impertinent⁴¹ [and] grossly insulting, and ... Nova Scotia ought to be expected to do the same.⁴² Now, there was no intention on the part of the people of Canada to go into partnership with the people of the eastern provinces. On the contrary, each Province was to be at liberty to undertake its own share of the road for itself. It was, therefore, for the British Government and British capitalists alone to satisfy themselves on that head.⁴³ The capabilities of the Lower Provinces were not to be measured by the amount of their revenue and as the railway project did not necessarily involve us in co-partnership with those Provinces, we were really going out of our proper path when we did as the hon. member for Norfolk had done. Mr. Sherwood went on to urge his objections to the Ministerial scheme, repeating the statements which he delivered yesterday⁴⁴ and stated that he would take an opportunity again to move the amendment which was lost last night.⁴⁵

MR. J. CAMERON while recording credit for zeal and sincerity to the government, for the part they have taken in this matter, felt that with all his financial ability and diplomatic skill, the Inspector General had been outwitted by Mr. Howe and Mr. Chandler, who had obtained a clear advantage in this transaction, and were to have two lines of railroad, one running from Halifax to Quebec, the other from Halifax to Portland. The Portland line would therefore be a competitor with the so-called Main Trunk Line, and would carry away the large share of traffic. The effect of the construction of these two lines out of the sum to be advanced by the British Government would be, that nothing would remain to construct the line westward of Quebec, and we should therefore be burthened with a very heavy guarantee with a mere fraction of the advantage.⁴⁶ Both the other Provinces were interested in the European and North American Railway. Canada had no interest except in the line from Halifax to Quebec. Therefore when Mr. Howe was speaking one word for New Brunswick, he was speaking two for Nova Scotia, and securing for her as well as New Brunswick, a line to Portland, which would give them direct communication to the boundary of Maine, whether the road from Quebec to Halifax ever paid one farthing or not. To show this to be so, he read the paragraph in which Mr. Howe spoke of

the explanations, which he had given to the people of Portland, and argued that before Mr. Howe came to Canada he had bargained for the Portland road as the most important object of the two. He then read the other paragraph in which it was stated that Nova Scotia had no wild lands; but that Canada and New Brunswick were to give them ten miles of land on each side of the road, amounting to \$3,000,000 to pay for the joint road. He thought this a most amusing statement, and that it was hardly less amusing that the Canadian authorities should have assented to it. He then compared the Quebec and Halifax road with that from Montreal to Halifax via Portland; and showed that the latter was in every respect better. It followed then that this £1,200,000 given to New Brunswick was a grant to cut the throat of the Quebec and Halifax road. He contended, therefore, that the Province ought not to commence the road, which was evidently intended for a military work, unless the Imperial guarantee were extended westward from Montreal to Hamilton.⁴⁷ He was prepared to forego a railway rather than have it on the terms offered by the Government; and he believed the country would say the same if formally appealed to. While anxious to have a through line, constructed on fair terms, he should resist the attempt to impose upon us a very heavy debt with but little possibility of obtaining the end desired. The matter was brought before the House at the close of the Session. The public had been taken by surprise on the subject--and it was therefore desirable to postpone final action upon it until an appeal be made to the constituencies. If that appeal be made, and the ministerial scheme be ratified, all parties would be satisfied, but they would certainly and justly be discontented if it were forced upon them without being thoroughly understood and with no assurance that it would realize the objects desired.⁴⁸ He did not think the Imperial government would refuse to obtain the advantages she sought for herself, merely because the Province required an extension of the guarantee. He also pointed out the fact that Mr. Howe the father of the scheme, had advised the dissolution of the Nova Scotia Legislature, and asked why the same thing should not be done in Canada. He did not believe the people of the country would sanction the resolutions as proposed by the Inspector General; but he did believe they would cheerfully accept the offer if it were extended throughout the country.⁴⁹ He should vote against the resolutions, and also against the amendment of the hon. member for Norfolk.⁵⁰

MR. SEYMOUR thought this question too important to be taken up in the last week of the last session of the Parliament; and he could not see why the same course should not be taken here as in Nova Scotia on the dissolution of the Legislature.⁵¹ The government should ... dissolve Parliament, and appeal to the people upon such an important question. The country would not be satisfied to be saddled with so enormous a debt. It would take a number of years to construct the road and the Inspector General had not shown where the money is to come from to pay the interest in that time. He firmly believed that it would not pay, and for that reason an appeal should be made to the people. He would therefore move that the resolutions be postponed, and an appeal made to the people at the polls.⁵² He could not see any reason why the road in question should be built cheaper than New England and New York roads, and these last had cost on an average £8000 per mile. On a former occasion the Inspector General had professed to rely on freight; but he afterwards said that he thought only of passengers. But how was it possible that passengers could be attracted to that line, when they were already being conveyed from New York to \$3 50c.⁵³

MR. INSP. GEN. HINCKS said, with regard to the observations of the hon. member for Norfolk,⁵⁴ and others⁵⁵ we had nothing to do with the security of the Lower Provinces. The hon. member for Cornwall had taken up the point that, New Brunswick had obtained concessions here in consequence of her refusal in the first instance. That was not so. Canada had made no concession; nor had the Imperial proposition been changed since it was first made.⁵⁶ As far as Canada was concerned they had

got their information from hon. Mr. Howe, and the question was is the proposition such as we can adopt. The hon. member had also endeavoured to show from Mr. Howe's letter⁵⁷ with reference to the public lands, that a very advantageous bargain had been made for Nova Scotia, at the expense of this country.⁵⁸ Hon. members would require to consider the position in which Mr. Howe is placed.⁵⁹ The truth was that Mr. Howe had to present the negotiations he had conducted in the best possible form for the people of his country.⁶⁰ He is endeavouring to put the question in the best position ... to face his own people. But hon. members should examine the measure for themselves.⁶¹ All he asked hon. gentlemen to consider then was this, whether it was not better to build the road on joint account, rather than part of the road within our own territory, at our own expense. By this arrangement Canada would save nearly two millions of dollars,⁶² in the construction of this line, and [would have] to give up 18 miles of land which hon. members know is at present worth nothing. Besides this there was the advantage of 124 miles of this line to Nova Scotia, and if the hon. member considers this European line to absorb all the traffic, then we have one-third interest in that line⁶³ which, according to Mr. Boulton would pay $7\frac{1}{2}$ to 8 per cent. This alone, then, would pay an interest of 1 per cent on the whole line to Quebec. But the way in which Mr. Morton calculated this profit was by reckoning so much a head on the population; and if a similar calculation were made with reference to the country between Halifax and Quebec, it would be found that there would be a fair profit there also.⁶⁴ It had been suggested that before this question is settled the sense of the people should be taken by a dissolution of Parliament, as was done in Nova Scotia upon the same subject. But there is no parallel at all between the cases. The government of Nova Scotia was divided upon it. The hon. Mr. G. Young left the Cabinet upon this very question, and the government found it necessary to appeal to the people. It thus became necessary for the government of Nova Scotia to appeal to the people, and if the opposition force this course upon us we are prepared to take our stand upon it, and if we are sustained as I believe we will be, he was convinced the country would bear them out. It will be necessary that this question be submitted to the Imperial Parliament next session, and if the question is thrown back, to go to the general election, the effect will be that all our arrangements will be thrown back for twelve months. He believed that the whole public opinion of the country is in favour of this scheme. (Hear, hear.) Yes, he was persuaded that the country were in favour of it and that we would be doing injustice to the country were we to postpone this question, with a view to test the opinion of the people at a general election.⁶⁵

MR. MERRITT contended that nearly all the roads in the Northern States had produced a loss; but who had suffered that loss? The people who benefitted by them. Now why should his constituents [*sic*] be taxed to pay for the loss which must take place on this line, when it would not go near their properties?⁶⁶ [He] said he agreed with the statement of the Inspector General, that this is a question involving the interests of Canada, but at this same time it is a sectional question. He ridiculed the idea of its being considered a provincial undertaking.⁶⁷ He then repeated the arguments he had used on a former occasion, in favour of constructing the road by private companies.⁶⁸ [He] explained the difference between the governments constructing canals and constructing railroads, and referred to the report of Mr. Morton, which he considered not worth a rap. He considered the railroad to Trois Pistoles, as the one which should be constructed, and as the people of New Brunswick had already pledged themselves to construct this line, Government should lend the money to parties to construct that line and not illicit the great hazard they would incur by carrying out this scheme. He would not oppose the resolutions at this stage but would oppose the amendments when the proper time came. If government were determined to carry on this measure he would feel bound to use every exertion in his power to prevent them carrying out their resolutions.⁶⁹

MR. CAUCHON replied to the Hon. member for Lincoln personally⁷⁰. [He] said that Mr. Merritt had done more than any man in one way for his country; but no man would do less in any other way than his own. He⁷¹ was ready to spend money upon any project for a canal, however absurd the idea--⁷² would dredge the St. Lawrence cut through the isthmus between the St. Lawrence and Richelieu, and connect the Bays Verte and Fundy by another canal,--yet⁷³ the moment the Government spoke of constructing a Railroad, they were going to ruin their country.⁷⁴ He continued to ridicule [sic] the idea of borrowing money at 3½ per cent to lend it again at 6 per cent to public companies, for if, as the hon. member said, the road would not pay at 3½ per cent, how could it pay private companies to borrow money at 6 per cent. He declared his opinion that if the Government had proposed the scheme now proposed by the hon. member, the hon. member would have opposed it. He expressed his astonishment at the hon. member for Montreal opposing the road because it would not pay, inasmuch as no one objected, when the credit of the Province was pledged for all roads, and thus afforded the means for Montreal to carry on the Portland line. He was also sorry to see members from Upper Canada make the measure a local measure, merely because the road was not to be begun at Detroit. He complained of the change of views on the part of some hon. members, and alluded especially to the speech of the hon. member for Simcoe, at the dinner to Mr. Howe.⁷⁵ He hoped the threat of the Hon. member, meant he was to see every excitation to oppose the measure, would go no further than voting against them. He hoped he would create no riot in consequence of it. If the result be ruinous, it will not be upon his shoulders. He was astonished at the opposition which had risen up within these two days to the Government proposition.⁷⁶

MR. ROBINSON referred to the allusion by the previous speaker to one of his after dinner speeches. He was willing to abide by what he then said.⁷⁷ [He] said that he had not changed, but the promoters of the road [had].⁷⁸ The proposition made by Mr. Howe on that night, was that if the three Provinces would guarantee a loan of three millions, it would enable it to construct a line from Halifax to Hamilton.⁷⁹ Mr. Howe had offered £7,000,000 of money for a road which was to extend to Detroit. Now he proposed something very different, and was to give £1,200,000 to a rival road.⁸⁰ The Government had now changed their opinion;--some new light has come upon them for they seem now to go no higher than Montreal. If the first proposition were admitted to, he would willingly vote for it; but as they dropped one part of it, he could not go with them.⁸¹

MR. ROSS was surprised at the opposition made to the measure.⁸² [He] expressed his opinion that the amendment proposed by⁸³ the hon. member for Norfolk⁸⁴ Mr. H.J. Boulton⁸⁵ was degrading to the House, and⁸⁶ was an impertinent interference with the sister Provinces. Then, after deprecating the discussion of the question on party grounds, he declared that the opposition was a purely conservative one, and came from parties who, if in power to-morrow, would⁸⁷ take up the question⁸⁸, make the road and boast of it. He supposed all were agreed as to the necessity of making a road throughout Canada, and there was not a ghost of a chance⁸⁹ of ever constructing such a Railway, if they reject this proposition⁹⁰. Besides, there was a strong probability that Great Britain would grant more money if this were accepted. The hon. member for Montreal had said, no one would send flour to Halifax by this road; but he would remind the House of the fisheries, and ask if any man would object to send 300 barrels of flour if he got 300 barrels of fish.⁹¹ He was convinced that next election, every man who voted against this measure would show that the vote he gave at this time had cost him his seat in the Legislature--⁹². Every one who opposed this bill should be eliminated, especially for having made the vote a party one.⁹³ (Hear, hear.) The measure was well known in the country, and there was no necessity to appeal to them to know their opinion.⁹⁴

MR. H. BOULTON ridiculed the "Cease, rude Boreas, blustering railer" style of the hon. member for Megantic, who always substituted bluster and dictation in the place of argument; and then replied to the arguments alleged against his amendment.⁹⁵ [He] considered it improper to waste three days at the end of the session discussing the propriety of entering into a negotiation for a loan of some four millions with two countries which have no revenue at all to do any thing.⁹⁶

MR. CAYLEY rose⁹⁷ [and] referred to the statements made by the Inspector General and the statements of Mr. Howe.⁹⁸ Which was correct? [He defended] the hon. Mr. Howe against the aspersions of that hon. gentleman's friends [sic], the Inspector General. The latter gentleman said of the former, "Oh it is true, Mr. Howe says so; but then, you know, he is colouring and embellishing, and filling up the ugly gaps, in order to obtain the support of his friends". But was it not true that the hon. Inspector General was subject to just the same imputation? Was he not also colouring, and embellishing, and filling up gaps, to induce support in Canada? The hon. member, however, had thrown so much doubt upon Mr. Howe's statement, that it was difficult to know what to believe; but on one point he would apply for distinct information.--The hon. Inspector General had stated⁹⁹ that the argument is, that each Province is to construct one third the line and receive one-third the revenue. Mr. Howe says each province will construct the part within its own province and receive the revenue of that line. Thus Canada would construct and maintain 277 miles of road, which is admitted would not by a paying line, while Nova Scotia will make and receive the revenue of 121 miles of line, which, being the terminus of two converging lines would be the best paying of all the lines. There was no equality there, and he could not see the propriety of being hurried into this measure, which, if carried out, would bring the province under a debt of £224,000 interest.¹⁰⁰ For his own part, he believed that if the present occasion were neglected, the Quebec Railway would be built, and then the line between Montreal and the West would be altogether neglected, it being found impossible to borrow the money except at very high rates, and the more so, on account of the debt incurred for the eastern part of the line.¹⁰¹

MR. CHAUVEAU combated [sic] the statements made by¹⁰² Mr. Merritt,¹⁰³ the hon. member for Lincoln. The hon. gentleman had, since his retirement from the government, made it a rule to oppose every public undertaking proposed by the present administration; it would have been a wonder if the present movement had been an exception to that rule. He looked on the statements of that member and other hon. members as preposterous, where they asserted that no railway would pay through the eastern section of the British Provinces, while they admitted that the Portland and other American lines of railway, would be profitable. He regretted much that hon. members should look on this undertaking in a local view. Would it be no advantage to Upper Canada that this line would be the great highway of emigration from Europe? He would not call their opposition factious, but he did believe their statements to be contrary to facts, figures and common sense.¹⁰⁴ It was an absurdity to contend that the Government could not manage its affairs, and a Railroad like that in question, as well as a private company. The hon. member must not have travelled below Quebec, when he talked of twenty feet of snow. He again showed (repeating his argument of the other evening) that the part of Canada through which the road would pass was very populous. He argued that the line through that portion of the Province would pay better than the proposed road in Maine, which hon. members, who made a boast of patriotism, liked so much to puff up. He censured in severe terms, the depreciating of works within the Province, and extolling those in a foreign state. Our best gratitude was due to England for her generous offer. It was the first time that practically she had begun to think something of us; and on such an occasion it was too bad, and he very much regretted to see,

he might almost say, a factious opposition raised to the acceptance of England's most generous offer. He regretted to see the opposition of members from Upper Canada, who had contended that they had no interest in the road. Had they no interest in sending their flour to the seaboard? Had they no interest in the immense emigration that might be expected to pass over the road?¹⁰⁵

MR. INSP. GEN. HINCKS requested that the hon. member [Mr. H. Boulton] ... withdraw [his amendment]....¹⁰⁶

MR. H. BOULTON refused.¹⁰⁷

MR. INSP. GEN. HINCKS suggested to the Speaker that the words nem. con. be inserted.¹⁰⁸

MR. MORIN the SPEAKER asked if the House would allow the words nemine contra-dicente to be inserted?¹⁰⁹

MR. H. BOULTON objected.¹¹⁰

(275)

*And the Question being put on the Amendment:--It passed in the Negative.¹¹¹
And the Question being again proposed, That the said Resolutions be now read a second time;*

MR. SEYMOUR, seconded by MR. J. SMITH of Durham, moved in amendment the postponement of the resolutions until next Parliament¹¹² [but] was nearly inaudible; ... he was understood to say that he was about to give an unpopular vote, but he should vote for a postponement. He believed the prospects of the road being a paying one, were by no means commensurate with the certain immense cost. He believed the road would cost more than £8,000 per mile, as he found the roads in the State of New York on the average cost upwards of £9,500 per mile. He considered it highly injurious to sink all our resources for a scheme that could not be expected to be profitable, to the prejudice of railroads that would pay, that we did want of urgent necessity, and that we could not make when all our resources were absorbed.¹¹³

MR. ROBINSON and MR. H. SHERWOOD both denied there was anything political in the course taken by members on their side of the House on this question¹¹⁴.

MR. H. SHERWOOD [also] stated that he strongly objected to that part of Mr. Hincks' resolutions that encouraged the Municipal Councils to issue debentures. He believed that no more fatal course could be pursued, and he would rather raise money in any other way.¹¹⁵

MR. W. BOULTON supported the amendment of Mr. H. Sherwood, and opposed the postponement until next Parliament.¹¹⁶

Some further conversation [followed].¹¹⁷

(275)

Mr. Seymour moved in amendment to the Question, seconded by Mr. Stevenson, That all the words after "be" to the end of the Question be left out, in order to add the words "recommitted to a Committee of the whole House, for the purpose of adopting the following in lieu thereof: "That inasmuch as the proposition contained in the said Resolutions will involve a very large increase to the Public Debt of the Province, and as a considerable portion of the money proposed to be borrowed will, in the opinion of this House, be expended on unproductive works, it is just and expedient that the People should have an opportunity of expressing their opinion at the Polls on a subject so deeply affecting their interests, before the works are undertaken; and that it is expedient to postpone the further consideration of the said Resolutions until the meeting of the next Session of the Legislature"

instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Cameron of CORNWALL, Crysler, Hall, Hopkins, Malloch, McConnell, McFarland, McLean, Notman, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Stevenson.--(14.)

NAYS.

Messieurs Armstrong, Eadgley, Baldwin, Bell, Boulton of TORONTO, Bouthillier, Burritt, Cartier, Cauchon, Cayley, Chabot, Chauveau, Christie, Dickson, Duchesnay, Dumas, Fergusson, Fortier, Fournier, Gaguy, Guillet, Hincks, Holmes, John, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Méthot, Meyers, Mongenais, Polette, Prince, Robinson, Ross, Sauhorn, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, Taché, Viger, and Wilson.--(51.)

So it passed in the Negative.

And the Question being proposed, That the said Resolutions be now read a second time;

MR. H. SHERWOOD then moved the amendment, which was lost in Committee last night.¹¹⁸

(275)

The Honorable Mr. Sherwood moved in amendment to the Question, seconded by Mr. Holmes, That all the words after "That" to the end of the Question be left out, in order to add the words, "provided the Imperial guarantee can be obtained for raising the necessary funds to construct a Railroad from Quebec to Halifax, on British Territory, and a Railroad also from Quebec to some convenient point of intersection with the Great Western Railroad, so as to connect with the principal Railroads across the Peninsula of Michigan, it is expedient that this Province should co-operate with the Provinces of Nova Scotia and New Brunswick in the construction of so much of it as lies between Quebec and Halifax, either by constructing the same on joint account with the said Provinces, or by constructing, at the expense of this Province, such portion of the said Railroad within Lower Canada as shall amount to one third of the whole distance, and that the said Railroad from Halifax to Quebec, and from thence to its point of intersection with the Great Western Railroad, shall be, to all intents and purposes, Provincial Public Works: Provided always that the said line of Railroad shall be commenced and proceeded with simultaneously at the most prominent points on the said line between its point of intersection as aforesaid with the Great Western Railroad and Quebec, and between Halifax and Quebec, as the Governor General, with the advice of the Executive Council of this Province, shall direct and appoint" instead thereof;

COL. PRINCE deprecated further delay, and spoke at some length in favour of an immediate prosecution of the railway, upon the basis of the ministerial scheme. He ridiculed the idea of making this an electioneering question. Gentlemen may conjure up phantoms of increased taxation, but they would have no effect with the great body of the people, who looked upon railways as worth having at almost any cost.¹¹⁹

Some remarks ... [came from] MR. H. BOULTON and MR. W. BOULTON.¹²⁰

MR. MACKENZIE announced his intention of voting for the resolutions, but still stating that he wanted some further information. These details might perhaps be forthcoming, when the bill was brought before the House. He expressed his strong

desire to see the railroad; and showed some of the great advantages that would result from it, to emigrants. By means of this road, and a cheap line of steamers, the stream of emigration would be diverted from New York¹²¹, and we should secure for this province a larger supply of labour, and a larger amount of enterprise and wealth, than we at present enjoy.¹²² In reply to Mr. H.J. Boulton, he stated that¹²³ the hon. member ... had made a great mistake ... with regard to Nova Scotia.... That province had an immense amount of means¹²⁴ [and] resources,¹²⁵ but was wise enough to manage them prudently. Her whole debt was but £105,000, while she had five or six thousand vessels navigating her waters. She had light taxes, but that was a proof of the wisdom of her people rather than of her poverty.¹²⁶ He went on to speak generally in favour of railroads, showing that they were influential in promoting civilization, and the prosperity of all those countries in which they were formed. He was not of the opinion of those who believed that the road would never pay. He believed it would pay if it were prudently managed.¹²⁷ He was favourable to the formation of railroads by private enterprise, but to the absence of this, he was willing to avail himself of the aid proffered by the Imperial Government. There were some things in the Government resolutions of which he disapproved, and there were feelings in the scheme which were by no means clear; but deeming the railroad a work of paramount importance, he would vote for the resolutions, with the hope that they would be amended in details, at a future stage of the measure.¹²⁸

(275)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Crylser, Dickson, Hall, Holmes, Hopkins, Lyon, Macdonald of KINGSTON, Malloch, McConnell, McLean, Meyers, Notman, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(23.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Boulton of NORFOLK, Bouthillier, Burritt, Cartier, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Ferguson, Flint, Fortier, Fournier, Fourquin, Gugy, Guillet, Hincks, Johnson, La-coste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McFarland, Méthot, Mongenais, Polette, Prince, Richards, Ross, Sauvageau, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, Taché, Viger, and Wilson.--(44.)

So it passed in the Negative.

And the Question being again proposed, That the said Resolutions be now read a second time;

MR. ROBINSON ... was willing to carry out the proposition first made to us, and he therefore proposed to show how the £7,000,000 sterling should be apportioned if obtained.¹²⁹

(275)

The Honorable Mr. Robinson moved in amendment to the Question, seconded by the Honorable Mr. Macdonald, That all the words after "That" to the end of the Question be left out, in order to add the words "it is expedient on the part of this Province to guarantee the payment of its share of an Imperial Loan of Seven million pounds Sterling (Eight million five hundred and sixteen thousand six hundred and sixty-six pounds Currency) which this House is assured can be obtained at an interest of three and a half per cent. per annum, for constructing the following Railroads (provided the Provinces of Nova Scotia and New Brunswick shall undertake

the payment of their portions of the Loan for the Roads within their respective limits,) viz: For six hundred and thirty-six miles of Road from Quebec to Halifax, at Seven thousand pounds per mile, Four million four hundred and fifty-two thousand pounds; for two hundred miles of Road to connect Halifax with the Portland Railroad, at Six thousand pounds per mile, One million two hundred thousand pounds; for ninety-five miles of Road from Quebec to Melbourne, at Six thousand pounds per mile, Five hundred and seventy thousand pounds; for three hundred and eighty miles, from Hamilton, or its vicinity, to Montreal, at Six thousand pounds per mile, Two million two hundred and eighty thousand pounds; making in all the sum of Eight million five hundred and two thousand pounds, currency: That this Province shall guarantee, as its share of the Loan aforesaid, one-third of the cost of the Road from Halifax to Quebec, say One million four hundred and eighty-four thousand pounds; for the Road from Quebec to Melbourne, Five hundred and seventy thousand pounds; for the Road from Hamilton to Montreal, Two million two hundred and eighty thousand pounds; making in all Four million three hundred and thirty-four thousand pounds currency, being an annual interest of One hundred and fifty-one thousand six hundred and ninety pounds, at three and a half per cent; and that the sums appropriated for the above Roads shall be placed at the disposal of the three Provinces simultaneously, in the proportions above mentioned" instead thereof;

(276)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Crysler, Dickson, Hall, Hopkins, Lyon, Macdonald of KINGSTON, Malloch, McConnell, McLean, Merritt, Meyers, Notman, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(21.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Boulton of NORFOLK, Bouthillier, Burritt, Cartier, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Flint, Fortier, Fournier, Fourquin, Guy, Guillet, Hinks, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McFarland, Méthot, Mongenais, Polette, Prince, Richards, Ross, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Smith of DURHAM, Smith of WENTWORTH, Taché, Viger, and Wilson.--(46.)

So it passed in the Negative.

Then the main Question being put, That the said Resolutions be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Flint, Fortier, Fournier, Fourquin, Guy, Guillet, Hinks, Johnson, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McConnell, Méthot, Mongenais, Polette, Prince, Richards, Ross, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, Taché, Viger, and Wilson.--(45.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Crysler, Dickson, Hall, Hopkins, Lyon, Macdonald of KINGSTON, Malloch, McFarland, McLean, Merritt, Meyers, Notman, Robinson, Seymour, Sherwood of BROCKVILLE,

Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(23.)

So it was resolved in the Affirmative.

And the first Resolution being read a second time;

The Honorable Mr. Merritt moved in amendment thereunto, seconded by Mr. Stevenson, That the words "without the consent of the Agents through whom Loans have been negotiated in England, or the previous payment or tender of payment of all Debentures then outstanding" be left out; and that all the words after "Province" in the last line be also left out, in order to add the words "the Provincial Government having pledged itself, as well by a Minute in Council, dated July, 1849, as by an Act of the Provincial Legislature of the 12 Vic. cap. 49, not to increase further the Public Debt for any purpose whatever, but on the contrary to reduce the liabilities of the Province as rapidly as its increasing revenues will permit" instead thereof;

And the Question being put on the Amendments; the House divided:--And it passed in the Negative.¹³⁰

And the first Resolution being again read;

MR. INSP. GEN. HINCKS proposed to add a proviso to the resolution--in accordance with a suggestion of Mr. McDonald of Kingston--in reference to liberty to depreciate future loans.¹³¹

(276)

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Attorney General LaFontaine,

Ordered, That the words "Provided that nothing herein contained shall be understood to prevent the guarantee of the Province from being given for the payment of the interest only of Debentures issued or to be issued by the St. Lawrence Atlantic Railroad Company, the Great Western Railroad Company, or the Ontario, Simcoe, and Huron Railroad Union Company, in the manner provided in the said Act, and on the conditions therein and hereinafter mentioned" be added at the end of the said Resolution.

MR. MACDONALD [Kingston] and MR. H. SHERWOOD declared that the proviso did not go far enough. It would let the future financial operations of the Province at the mercy of its London agents.¹³²

MR. MACDONALD [Kingston] moved to add to the proviso--amending it to meet his views; but his attempt failed.¹³³

MR. CAYLEY made another attempt, with no better success.¹³⁴

Much conversation and not a little disputation took place during these proceedings¹³⁵.

MR. INSP. GEN. HINCKS complained, with some temper, of the factious opposition¹³⁶ which this scheme had received in the House from members who claimed to represent the railway interest of West Canada.¹³⁷

MESSRS. CAYLEY and MACDONALD [Kingston] denied¹³⁸ that there was any factious opposition¹³⁹ and retorted on the Government an accusation of inconsistency and disregard of Western Canada.¹⁴⁰

MR. MACDONALD [Kingston, stated that] everybody had been in favour of the scheme, until yesterday the secret came out that the Government had been humbugged, and that New Brunswick was to get an extra line of road. Now to-day it came out that Upper Canada was to be deprived of her right to the guarantee.¹⁴¹

Some further conversation [followed]¹⁴².

The resolution with this provision was then agreed to.¹⁴³

(276)

And the first Resolution, so amended, being again read, as followeth:--

1. Resolved, That as an act of justice to those who have advanced their money upon Provincial Securities, and as the best means of sustaining the credit of the Province, and of readily commanding such further pecuniary assistance as may from time to time become necessary for our great Works of internal communications, it is expedient that the Legislature should pledge itself not to allow the Public debt and liabilities of the Province to be increased (except as regards any sum to be raised with the guarantee of the Imperial Government), without the consent of the Agents through whom Loans have been negotiated in England, or the previous payment or tender of payment of all Debentures then outstanding; and therefore that it is expedient to provide that the appropriations proposed in the following Resolutions, and the guarantee mentioned in the Act 12 Vic. cap. 29, shall be made and given so far only as it may be possible so to do without increasing the liabilities of the Province, except under the conditions aforesaid: Provided that nothing herein contained shall be understood to prevent the guarantee of the Province from being given for the payment of the interest only of Debentures issued or to be issued by the St. Lawrence and Atlantic Railroad Company, the Great Western Railroad Company, or the Ontario, Simcoe, and Huron Railroad Union Company, in the manner provided in the said Act, and on the conditions therein and hereinafter mentioned.

The Honorable Mr. Macdonald moved in amendment thereto, seconded by Mr. Sherwood of Brockville, That the words "the main Trunk Line of Railway from Hamilton to Quebec" be inserted after the words "the Great Western Railroad Company;"

And the Question being put on the Amendment; the House divided: and the names being called for they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Taylor, Christie, Dickson, Hall, Hopkins, Macdonald of KINGSTON, Malloch, McLean, Merritt, Meyers, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(16.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Cauchon, Chabot, Solicitor General Drummond, Duchesnay, Dugas, Flint, Fortier, Fraser, Fraser, Guillet, Hincks, Jobin, Johnson, Lacoste, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenais, Morrison, Pollock, Prince, Richards, Ross, Sauvageau, Scott of TWO MOUNTAINS, and Taché.--(32.)

So it passed in the Negative.

And the first Resolution being again read, as followeth:--

1. Resolved, That as an act of justice to those who have advanced their money upon Provincial Securities, and as the best means of sustaining the credit of the Province, and of readily commanding such further pecuniary assistance as may from time to time become necessary for our great Works of internal communication, it is

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expedient that the Legislature should pledge itself not to allow the Public debt and liabilities of the Province to be increased (except as regards any sum to be raised with the guarantee of the Imperial Government), without the consent of the Agents through whom Loans have been negotiated in England, or the previous payment or tender of payment of all Debentures then outstanding; and therefore that it is expedient to provide that the appropriations proposed in the following Resolutions, and the guarantee mentioned in the Act 12 Vic. cap. 29, shall be made and given so far only as it may be possible so to do without increasing the liabilities of the Province, except under the conditions aforesaid: Provided that nothing herein contained shall be understood to prevent the guarantee of the Province from being given for the payment of the interest only of Debentures issued or to be issued by the St.

Lawrence and Atlantic Railroad Company, the Great Western Railroad Company, or the Ontario, Simcoe and Huron Railroad Union Company, in the manner provided in the said Act, and on the conditions therein and hereinafter mentioned."

The Honorable Mr. Cayley moved in amendment thereunto, seconded by the Honorable Mr. Badgley, That the words "the consent of the Agents through whom Loans have been negotiated in England, or the previous payment or tender of payment of all Debentures then outstanding" be left out, and the words "previous communication with the Agents through whom Loans have been negotiated in England, and where found desirable for the maintenance of the Public Credit, the previous payment or tender of payment of all Debentures then outstanding, which tender shall be made by public advertizement, giving thirty days notice, and stating time and place of redemption" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Christie, Cryslar, Dickson, Hall, Hopkins, Macdonald of KINGSTON, Malloch, McFarland, McLean, Merritt, Meyers, Robinson, Seymour, Sherwood of BROCKVILLE, and Stevenson.--(19.)

NAYS.

Messieurs Baldwin, Bell, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Guillet, Hincks, Jobin, Johnson, Lacoste, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Morrison, Polette, Prince, Richards, Scott of TWO MOUNTAINS, and Taché.--(28.)

So it passed in the Negative.

And the first Resolution being again read, as followeth:--

1. Resolved, That as an act of justice to those who have advanced their money upon Provincial Securities, and as the best means of sustaining the credit of the Province and of readily commanding such further pecuniary assistance as may from time to time become necessary for our great Works of internal communication, it is expedient that the Legislature should pledge itself not to allow the Public debt and liabilities of the Province to be increased (except as regards any sum to be raised with the guarantee of the Imperial Government), without the consent of the Agents through whom Loans have been negotiated in England, or the previous payment or tender of payment of all Debentures then outstanding; and therefore that it is expedient to provide that the appropriations proposed in the following Resolutions, and the guarantee mentioned in the Act 12 Vic. cap. 29, shall be made and given so far only as it may be possible so to do without increasing the liabilities of the Province, except under the conditions aforesaid: Provided that nothing herein contained shall be understood to prevent the guarantee of the Province from being given for the payment of the interest only of Debentures issued or to be issued by the St. Lawrence and Atlantic Railroad Company, the Great Western Railroad Company, or the Ontario, Simcoe and Huron Railroad Union Company, in the manner provided in the said Act, and on the conditions therein and hereinafter mentioned.

And the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided:--And it was resolved in the Affirmative.

The second Resolution being read a second time;

The Honorable Mr. Merritt moved in amendment thereunto, seconded by Mr. Hall, That all the words after "That" to the end thereof be left out, in order to add the words "as the cost of the Halifax and Quebec Railway, six hundred and thirty-five miles in length, is estimated by Major Robinson at Five million pounds sterling; and as the Province of New Brunswick stands pledged to aid in the construction of the European and North American Railway, two hundred miles in length, estimated by

A.C. Morton, Esquire, Civil Engineer, at Seven thousand five hundred pounds, per mile, equal to One million five hundred thousand pounds; as well as the St. Andrews and Quebec Company, a distance of two hundred and nine miles, through that Province, a part of which is already built, which involves a further outlay of capital, at the same estimate, of One million five hundred and sixty-seven thousand five hundred pounds; and as this Province also stands pledged for the completion of the one-half of the St. Lawrence and Atlantic Railway, leading through Canada from Montreal to the boundary line of Maine, intersecting the European and North American Railway, a distance of one hundred and twenty-six miles, equal to Nine hundred and forty-five thousand pounds; it is, in the opinion of this House, inexpedient to pledge the revenue of this Province for the construction of this Road, unless by Loan to the St. Andrews and Quebec Company, or some other Company" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the second Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bail, Boothillier, Cartier, Cauchon, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Jobin, Johnson, Lacoste, Laurin, Lemieux, Lesclapart, Solicitor General Macdonald, Macdonald of FINESTON, Mathar, Mongeauis, Morrison, Palotte, Prince, Richards, Robinson, Scott of THE MOUNTAINS, Shannon of BECKVILLE, and Taché.--(35.)

NAYS.

Messieurs Boulton of NORFOLK, Crysler, Hall, Hopkins, Malloch, McFarland, McLean, Merritt, and Seymour.--(9.)

So it was resolved in the Affirmative.

The third Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided:

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and the names being called for, they were taken down, as in the last preceding division.

So it was resolved in the Affirmative.

The fourth Resolution being read a second time;

The Honorable Mr. Merritt moved in amendment thereunto, seconded by Mr. Hall, That all the words after "That" to the end thereof be left out, in order to add the words "all former experience, both in the United States and in Canada, tends to prove that the construction and management of Railways by Government, is unwise and inexpedient, and has invariably resulted, either in great public loss or in a total failure to produce the anticipated benefits; as, for example, in the State of Michigan, where it has been alleged that the Central Railroad, constructed by the State, created offices for maintaining political paupers at the public expense, giving employment to a class of persons incompetent for the duty to be performed, and ultimately causing so much dissatisfaction that the Road was sold, at a great loss, to a Private Company, who, by their prudent and economical management, have since made it a profitable concern: That, in like manner, the removal of local Works in Canada from the management of local Commissioners to that of the Provincial Government, has been attended with similar results, by occasioning a yearly increase of the public expenditure, until, by experience, the Government became convinced that all Public Works, except such as relate to the leading water communications, ought to be under local management; consequently a transfer of the same into the hands of

Municipalities or Private Companies has been effected; it is therefore, in the opinion of this House, that the construction of the proposed line of Railway leading through Canada, from Quebec to Halifax, should not be constructed by the Provincial Government, but that Loans should be made to private Companies for constructing the same" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the fourth Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided:--And it was resolved in the Affirmative.

The fifth Resolution being read a second time;

The Honorable Mr. Merritt moved in amendment thereunto, seconded by Mr. Hall, That all the words after "That" to the end thereof be left out, in order to add the words "the construction of the main Trunk Line below Quebec, is estimated at Two million twenty-seven thousand seven hundred and seventy-seven pounds, which at three and a half per cent. interest, is Seventy thousand nine hundred and seventy-two pounds; the Road above Quebec, at Four million three hundred and forty-five thousand pounds, at seven per cent., is Three hundred and four thousand one hundred and fifty pounds; one half of the distance, under the present guarantee Act, is estimated at One million four hundred and eighty-six thousand pounds, at six per cent., is Eighty-nine thousand one hundred pounds, which, in case the profit of those Roads do not pay the interest, will render this Province liable for Four hundred and sixty-three thousand nine hundred and forty-five pounds per annum; an amount disproportioned to the population and wealth of the Province; it is therefore, in the opinion of this House, inexpedient, in addition to the Interest on our Public Debt, on which the inhabitants are already taxed Two hundred and ten thousand pounds per annum, to authorize any additional loan at this increased rate of interest" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the fifth Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided:--And it was resolved in the Affirmative.

The sixth Resolution being read a second time;

The Honorable Mr. Merritt moved in amendment thereunto, seconded by Mr. Hall, That all the words after "That" to the end thereof be left out, in order to add the words "in the opinion of this House, the advantages to be derived from the construction of the main Trunk Railway in the increase of value of property, as well by individuals as the different Municipalities collectively through which it will run, is a sufficient inducement for them to subscribe the capital, and pay twenty-five per cent thereon, and that the Road may be constructed by extending public aid to the amount of Three thousand two hundred and fifty pounds per mile, by the economy attending local superintendence and management" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the sixth Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided:--And it was resolved in the Affirmative.

The seventh Resolution being read a second time;

The Honorable Mr. Merritt moved in amendment thereunto, seconded by Mr. Hall, That all the words after "That" to the end thereof be left out, in order to add the words "in order to create both a Safety and Sinking Fund, for the double object of guarding against loss on any part of the said main Trunk Line, as well as to secure the payment of the principal of the debt about to be incurred, it is expe-

dient to lend the money to those different Railroad Companies for the purpose of constructing the same at six per cent. interest, and funding the two and a half per cent. interest, which on Four million pounds, the probable amount of aid required by those Companies, will yield One hundred thousand pounds per annum; that under the present system, the Contractors receive payment in stock, which they are compelled to dispose of at a large discount, thereby increasing the cost of constructing the Road in the same proportion, and avoid the injustice of pledging the Provincial Credit for the benefit of particular localities" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the seventh Resolution being again read; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided:--And it was resolved in the Affirmative.

The eighth to the twelfth of the Resolutions, both inclusive, being read a second time; and the Question upon each being separately put, That this House doth concur with the Committee in the said Resolution; the House divided:--And it was resolved in the Affirmative.

The thirteenth Resolution, being read a second time, was agreed to.

The fourteenth and fifteenth of the Resolutions, being read a second time; and the Question upon each being separately put, That this House doth concur with the Committee in the said Resolution; the House divided:--And it was resolved in the

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Affirmative.

The sixteenth Resolution, being read a second time, was agreed to.

The seventeenth Resolution being read a second time;

On motion of the Honorable Mr. Robinson, seconded by Mr. Boulton of Toronto,

Ordered, That the words "provided that it shall be lawful for the Governor in Council, if he shall deem it expedient and consistent with the interests of the Province, and the due maintenance of the Public Credit, to grant the same advantages, or any of them, to the Ontario, Simcoe and Huron Railroad Union Company," as he may under this Resolution grant to Companies whose Railroads form part of the said main Trunk" be added at the end thereof;

And the said Resolution, so amended, was agreed to, and is as followeth:--

17. Resolved, That it is expedient to provide, that the said guarantee may, as regards those Companies only whose Railroads will form part of the said main Trunk Line, be extended to the payment of the principal of the sum guaranteed, as well as to the payment of the interest thereon, provided the Bonds guaranteed are made payable at periods previously approved by the Governor in Council, or that in his discretion Provincial Debentures for the amount to be guaranteed, or any part thereof, may be delivered to the Company in exchange for their Bonds, the due payment of which shall be secured by the special privileges mentioned in the said Act: provided that it shall be lawful for the Governor in Council, if he shall deem it expedient and consistent with the interests of the Province, and the due maintenance of the Public Credit, to grant the same advantages, or any of them, to the Ontario, Simcoe and Huron Railroad Union Company, as he may under this Resolution grant to Companies whose Railroads form part of the said main Trunk.

The eighteenth Resolution, being read a second time, was agreed to.

The Province
Railway Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed
until to-morrow.

Then, on motion of Mr. Solicitor General Macdonald, seconded by Mr. Duchesnay,
The House adjourned.¹⁴⁴

FOOTNOTES: 13 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 14 August 1851, BRITISH COLONIST, 15 August 1851, HAMILTON SPECTATOR, 16 August 1851, MONTREAL GAZETTE, 18 August 1851, BATHURST COURIER, 19 August 1851, EXAMINER, 20 August 1851, PILOT, 21 August 1851, and NORTH AMERICAN, 22 August 1851.
2. GLOBE, 14 August 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. BRITISH COLONIST, 15 August 1851.
12. GLOBE, 14 August 1851.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 15 August 1851, MONTREAL GAZETTE, 19 August 1851, and NORTH AMERICAN, 22 August 1851. The debate was also reported by GLOBE, 14, 16 August 1851. A list of the proposed resolutions appeared in GLOBE, 10 July 1851.
31. MONTREAL GAZETTE, 19 August 1851. GLOBE, 16 August 1851, noted in error that the balance was £1665.
32. MONTREAL GAZETTE, 19 August 1851.
33. GLOBE, 16 August 1851.
34. MONTREAL GAZETTE, 19 August 1851.
35. GLOBE, 16 August 1851.
36. MONTREAL GAZETTE, 19 August 1851.
37. IBID.
38. GLOBE, 16 August 1851.
39. MONTREAL GAZETTE, 19 August 1851.
40. GLOBE, 16 August 1851.
41. MONTREAL GAZETTE, 19 August 1851.
42. GLOBE, 16 August 1851.
43. MONTREAL GAZETTE, 19 August 1851.
44. GLOBE, 16 August 1851.

45. MONTREAL GAZETTE, 19 August 1851.
46. GLOBE, 16 August 1851.
47. MONTREAL GAZETTE, 19 August 1851.
48. GLOBE, 16 August 1851.
49. MONTREAL GAZETTE, 19 August 1851.
50. GLOBE, 16 August 1851.
51. MONTREAL GAZETTE, 19 August 1851.
52. GLOBE, 16 August 1851.
53. MONTREAL GAZETTE, 19 August 1851.
54. IBID.
55. GLOBE, 16 August 1851.
56. MONTREAL GAZETTE, 19 August 1851.
57. GLOBE, 16 August 1851.
58. MONTREAL GAZETTE, 19 August 1851.
59. GLOBE, 16 August 1851.
60. MONTREAL GAZETTE, 19 August 1851.
61. GLOBE, 16 August 1851.
62. MONTREAL GAZETTE, 19 August 1851.
63. GLOBE, 16 August 1851.
64. MONTREAL GAZETTE, 19 August 1851.
65. GLOBE, 16 August 1851.
66. MONTREAL GAZETTE, 19 August 1851.
67. GLOBE, 16 August 1851.
68. MONTREAL GAZETTE, 19 August 1851.
69. GLOBE, 16 August 1851.
70. IBID.
71. MONTREAL GAZETTE, 19 August 1851.
72. GLOBE, 16 August 1851.
73. MONTREAL GAZETTE, 19 August 1851.
74. GLOBE, 16 August 1851.
75. MONTREAL GAZETTE, 19 August 1851.
76. GLOBE, 16 August 1851.
77. IBID.
78. MONTREAL GAZETTE, 19 August 1851.
79. GLOBE, 16 August 1851.
80. MONTREAL GAZETTE, 19 August 1851.
81. GLOBE, 16 August 1851.
82. IBID.
83. MONTREAL GAZETTE, 19 August 1851.
84. GLOBE, 16 August 1851.
85. MONTREAL GAZETTE, 19 August 1851.
86. GLOBE, 16 August 1851.
87. MONTREAL GAZETTE, 19 August 1851.
88. GLOBE, 16 August 1851.
89. MONTREAL GAZETTE, 19 August 1851.
90. GLOBE, 16 August 1851.
91. MONTREAL GAZETTE, 19 August 1851.
92. GLOBE, 16 August 1851.
93. MONTREAL GAZETTE, 19 August 1851.
94. GLOBE, 16 August 1851.
95. MONTREAL GAZETTE, 19 August 1851.
96. GLOBE, 16 August 1851.
97. MONTREAL GAZETTE, 19 August 1851.
98. GLOBE, 16 August 1851.
99. MONTREAL GAZETTE, 19 August 1851.

100. GLOBE, 16 August 1851.
101. MONTREAL GAZETTE, 19 August 1851.
102. GLOBE, 16 August 1851.
103. MONTREAL GAZETTE, 19 August 1851.
104. GLOBE, 16 August 1851.
105. MONTREAL GAZETTE, 19 August 1851.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. MONTREAL GAZETTE, 19 August 1851, noted that the amendment was "put and lost, none standing up for it."
112. MONTREAL GAZETTE, 19 August 1851.
113. IBID.
114. IBID.
115. IBID.
116. IBID.
117. IBID.
118. IBID.
119. GLOBE, 16 August 1851.
120. IBID.
121. MONTREAL GAZETTE, 19 August 1851.
122. GLOBE, 16 August 1851.
123. MONTREAL GAZETTE, 19 August 1851.
124. GLOBE, 16 August 1851.
125. MONTREAL GAZETTE, 19 August 1851.
126. GLOBE, 16 August 1851.
127. MONTREAL GAZETTE, 19 August 1851.
128. GLOBE, 16 August 1851.
129. IBID.
130. GLOBE, 16 August 1851, noted that Mr. Merritt's amendment "was lost by a large majority."
131. GLOBE, 16 August 1851.
132. IBID.
133. IBID.
134. IBID.
135. IBID.
136. IBID.
137. IBID.
138. IBID.
139. MONTREAL GAZETTE, 19 August 1851.
140. GLOBE, 16 August 1851.
141. MONTREAL GAZETTE, 19 August 1851.
142. IBID.
143. GLOBE, 16 August 1851.
144. GLOBE, 14 August 1851, noted that the debate on the railway question "occupied the House till one o'clock."

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Bell,--The Petition of the Reverend John Jennings, on behalf of the Congregation of the United Presbyterian Church in the City of Toronto.

By the Honorable Mr. Robinson,--The Petition of George Tooth.

Sixth Report
of Committee on
Railroads and
Telegraph Lines.

Mr. Smith of Durham, from the Standing Committee on Railroads and Telegraph Lines, presented to the House the Sixth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to consolidate such of the provisions of the several Acts relative to the Great Western Railroad Company as are now in force, and have amended the same, and specially by the adaptation of its provisions to those of the General Railway Clauses Consolidation Bill.

They have also considered the Bill to amend the Charter of the Woodstock and Lake Erie Railway Company, and think it inexpedient to recommend the same to the favourable consideration of Your Honorable House. The Company are not satisfied with the extensive range given them from Port Burwell to Port Dover for their terminus on Lake Erie, and ask for permission to construct their Railway from Woodstock to any point east or west of those Ports that they may select. Your Committee are of opinion that such an unrestricted and undefined route should not be given to any Railway Company, and that this application should not be taken into consideration until the Company are prepared with some plan shewing the line of Railway that they have finally determined to select. The Company further pray to be allowed to construct a macadamized or blocked Road, instead of a Railway, under their Charter, and with all the privileges conferred on them by it. As the Company can readily construct such Roads under the General Road Act, without any application to the Legislature, and as Your Committee think that all such Roads in Upper Canada should be undertaken under the liabilities and provisions contained in that Act, Your Committee recommend that such alteration in the Charter should not be granted.

Sixteenth
Report of
Committee on
Private Bills.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Sixteenth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Directors of the Berthier Academy," and have agreed upon an amendment thereto, which they respectfully submit for the consideration of Your Honorable House.

Your Committee have also examined the Bill to increase the Capital Stock of the Port Hope Harbour and Wharf Company, and the Bill to revive the Charter of the Hamilton Dry Dock Company, and have made amendments to each of them, which they beg leave to recommend for the adoption of Your Honorable House.

On motion of Mr. Armstrong, seconded by Mr. Flint,

Berthier
Academy Bill.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Directors of the Berthier Academy," as reported from the Standing Committee on Miscellaneous Private Bills, be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. Mongenais took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Mongenais reported, That the Committee had gone through the Bill, and made an Amendment thereunto; which was read, as followeth:--

Press 3, line 36. After "Corporation" insert Clause (A.)

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Clause (A.) "And be it enacted, that the said Corporation shall, when required by either of the three branches of the Legislature, present a Return shewing the amount of real or other property held by them under the provisions of this Act, and the income derived therefrom, together with a list of the Directors and Officers of the said Corporation, a copy of the By-Laws, and a statement of the course of study pursued."

The said amendment, being read a second time, was agreed to.

Ordered, That the Bill be read the third time to-morrow.

Fifth Report
of Committee
on Printing.

Mr. Holmes, from the Standing Committee on Printing, presented to the House the Fifth Report of the said Committee; which was read.

Appendix (D.D.).

For the said Report, see Appendix (D.D.).

Ordered, That the said Report, and the documents thereunto annexed, be printed for the use of the Members of this House.

On motion of the Honorable Mr. Badgley, seconded by Mr. Dickson,

Great Western
Railroad Acts
Consolidation
Bill.

Ordered, That the Bill to consolidate such of the provisions of the several Acts relative to the Great Western Railroad Company as are now in force, as reported from the Standing Committee on Railroads and Telegraph Lines, be committed to a Committee of the whole House, for Saturday next.

Petition of D.
Cameron, of
Thorah.

Mr. McFarland moved, seconded by Mr. Mackenzie, and the Question being put, That the Petition of Donald Cameron, of Thorah, praying the adoption of certain measures to obtain for him and his followers or settlers, the issue of Deeds of Lands for which they have received Location Tickets, be referred to a Select Committee, composed of Mr. Prince, Mr. McLean, Mr. Mackenzie, Mr. Crysler, and the mover, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records:¹

MR. COM. CR. LANDS PRICE opposed the motion, on the ground that he had repeatedly offered to comply with the petitioner's request, if he proved that his settlers had performed the settlement duties. But, up to the present he furnished no proof of the kind.²

MR. MACKENZIE urged the granting of the motion; but it was lost without a division.³

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It passed in the Negative.

Bill relating
to Meetings of
Relations and
Friends.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to allow Notaries to call meetings of relations and friends in certain cases without being thereto specially authorized by a Judge, and for other purposes," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 2, line 11. Leave out from "meeting" to "so" in press 3, line 18.

Press 3, line 29. Leave out from "Justice" to "this" in press 4, line 12.

Press 4, line 43 to Press 6, line 38. Leave out the whole of Schedules (C.)(D.)(E.)(F.) and (G.) annexed to the Bill.

In the Title of the Bill:

Line 3. Leave out all the words after "Judge".

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Lacoste do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Census Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to provide more effectually for taking the periodical Census of the Province," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 21. Leave out "two" and insert "one".

Press 4, line 32. After "costs" insert "which costs".

Press 6, line 4. After "kind" insert Clause (A.)

Clause (A.) "And be it enacted, That if at any time it shall appear to the Governor in Council that from any cause the Census cannot be taken in any County in the month of January, when it ought to be taken in pursuance of this Act, it shall be lawful for His Excellency in Council, by Proclamation to be published in the Canada Gazette, to declare and ordain that the Census shall be taken in such County in some other month, being the nearest to the month in which it ought to be taken as afore-said, that circumstances and the nature of the case will admit, and thereupon the Census may and shall be taken in such County accordingly, in the same way and with the same effect as if taken in the month in which, without such Proclamation, it would be taken under this Act."

In the Preamble:

Press 1, line 2. After "two" insert "then in the year one thousand eight hundred and sixty-one".

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Supply Bill.

The Order of the day for the third reading of the engrossed Bill for granting to Her Majesty certain sums required for defraying certain Expenses of the Civil Government for the year 1851, and certain other Expenses connected with the Public Service, being read;

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being proposed, That the Bill be now read the third time;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Smith of Durham, That all the words after "be" to the end of the Question be left out, in order to add the words "recommitted to a Committee of the whole House, for the purpose of adding the following Clause thereunto: And be it enacted, that from and after the fifth day of October, one thousand eight hundred and fifty-one, the gross amount of all Duties received from Customs, from the sales of Public Lands, from Tolls on Canals, and from all miscellaneous sources, for the use of the Province of Canada, shall be paid by the Officer or Agent receiving the same into the Treasury of the said Province at as early a day as practicable, without any abatement or deduction on account of salary, fees, costs, charges, expenses, or claim of any description whatever: Providing that nothing herein contained shall be construed to alter the existing Laws regulating the collection of the revenues of the Post Office Department" instead thereof;⁴

Some conversation [followed].⁵

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And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

MR. MERRITT then moved an amendment, relative to clearing away obstructions from the navigation of the St. Lawrence⁶, [an] amendment in connection with his plans for improving the water communication of the country⁷. He supported the motion with remarks⁸ similar to those which he had delivered more than once on the same subject, during this same session⁹ contending that it was of the first importance to the country that these obstructions should be removed, as they were only four in number, and could be removed at a trifling expense. If this improvement were not made, we could never compete with the Erie Canal; and he held that that was of greater importance than railways, which appeared now to take up all the attention of the Government.¹⁰

MR. ROBINSON supported the amendment and read extracts from the last report of the Board of Public Works, in reference to improving the navigation of the St. Lawrence.¹¹ [He] contended in favour of the necessity of the work.¹²

MR. INSP. GEN. HINCKS said the motion was irregular¹³ at this stage of the proceedings¹⁴ and out of order, as contrary to the provisions of the Union Act.¹⁵

MR. AT. GEN. BALDWIN took the same view¹⁶ [and] repeated the technical objection to the amendment. No grant of money could be voted under the act of union without a message sanctioning it from the Executive of the Provinces. He was by no means unfavourable to the work which the hon. member for Lincoln was anxious to promote¹⁷ but expressed ... his desire to see it gone on with¹⁸, but he [Mr. Merritt] had taken an irregular way of promoting it.¹⁹

MR. H. SHERWOOD demurred to the opinion, and argued that it was competent to the House to entertain the amendment before it.²⁰

MR. MERRITT, in deference to Mr. Baldwin's opinion, said he would withdraw the amendment, and give notice of a substantive resolution on the same subject; his desire being to obtain an expression of opinion from the House, with regard to completion of our system of internal improvements.²¹

MR. H. BOULTON refused to concur in the withdrawal, and proceeded to contend against the validity of the objection of the Attorney General West. He deprecated and ridiculed the antiquated class which that gentleman and the Inspector General entertained as to the prerogatives of the Crown in relation to the people.²²

MESSRS. ROSS, J. CAMERON, and MACDONALD [Kingston], spoke on the question, which involved a lengthened argument on Parliamentary law²³, [and] the discussion went on relative to the interpretation of the provisions of the Union Act.²⁴

After further objections by MR. H. BOULTON²⁵ the discussion²⁶ [and] the amendment [were] withdrawn.²⁷

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*Then the main Question being put:--It was resolved in the Affirmative.
The Bill was accordingly read the third time.*

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relative
to Toll-Gates
in Cities, &c.

The Order of the day for the third reading of the engrossed Bill to prohibit the erection of any Toll-Gate or

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Toll-Bar which may intercept the free passage of the inhabitants of Cities, Towns or Villages within this Province, in passing from one portion of such Cities, Towns or Villages to other portions of the same Cities, Towns or Villages respectively, being read;

Ordered, That the Bill be read the third time to-morrow.

Quebec City
Water
Supply Bill. An engrossed Bill further to amend the Acts for supplying the City of Quebec, and parts adjacent thereunto, with water, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Chabot do carry the Bill to the Legislative Council, and desire their concurrence.

St. Louis de
Lotbinière
Parish Regis-
ters Bill. An engrossed Bill to remedy as far as possible the inconvenience which might otherwise arise from the destruction of the Registers of the Parish of St. Louis de Lotbinière, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Laurin do carry the Bill to the Legislative Council, and desire their concurrence.

Sydenham Moun-
tain Road Act
Amendment Bill. An engrossed Bill to amend the Sydenham Mountain Road Act, and to vest in George Rolph, Esquire, his heirs and assigns, certain privileges therewith connected, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Notman do carry the Bill to the Legislative Council, and desire their concurrence.

Hamilton Court
House Square
Bill. An engrossed Bill to authorize the Municipal Council of the United Counties of Wentworth and Halton to dispose of a part of the present Court House Square, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Smith of Wentworth do carry the Bill to the Legislative Council, and desire their concurrence.

Wesleyan
Benevolent
Societies Bill. The Order of the day for the third reading of the engrossed Bill to incorporate the Benevolent Societies of the Wesleyan Methodist Church in Canada, being read;

Mr. Flint moved, seconded by Mr. Malloch, That the Bill be now read the third time;²⁸

MR. NOTMAN again opposed it, declaring that it was abhorred by the large body of Wesleyan Methodists, and could not fail to create disastrous differences in a body, which had worked together harmoniously for more than half a century. He knew it would be²⁹ fruitless but he felt it his duty to resist the measure at any stage, being convinced that it was obnoxious, not only to the public generally, but to the Wesleyan body themselves.³⁰ He desired to record his vote, and to show that he, at least, respected the numerous expressions of opinion which had come to the House in the shape of petitions.³¹ Yesterday he asked for delay, that the Wesleyans might have an opportunity of expressing their opinion regarding it; but the Hon. member for Hastings refused the slightest concession.³²

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Mr. Notman moved in amendment to the Question, seconded by Mr. Fergusson, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. RICHARDS said he was not in the House when the bill was debated yesterday,

but he had since received communications from his constituency which left no doubt that the bill was not only not desired, but was³³ accordingly unpopular with the Methodists and he read a letter from one of his constituents, a member of³⁴ the Wesleyan community³⁵, begging him to use his best exertion to throw out the bill.³⁶

MR. MACKENZIE also opposed it.³⁷ [He] said, in the Globe of this morning it is stated that members had been drilled in caucus, in support of this bill, in support of which Dr. Ryerson had been actively engaged.³⁸

MR. FLINT said the hon. member for Haldimand had misread the Globe, which made the statement in reference to the education Bill, not to this. Dr. Ryerson had had no connection with it. The sole object was to enable the Wesleyans to manage their own affairs³⁹ [and he] thought it most extraordinary the members of the House should come there and deny ... the right of the Wesleyan ministers to manage their own property.⁴⁰ What reasonable man could object to it?⁴¹

MR. MORRISON said there was no necessity for an act of parliament to enable the Wesleyans or any other body to manage what really belonged to them. The Wesleyans had done so for fifty years and he had repeatedly read paragraphs in their organ, showing how well they had prospered under the existing system, which would receive a heavy blow if the bill became law. The hon. member proceeded to read⁴² an extract from a resolution⁴³ against the bill passed at a public meeting, at Guelph; similar meetings had been held at other places, and similar resolutions passed and it was therefore not unreasonable⁴⁴ [that] he desired to allow the measure to lie over the next session.⁴⁵

MR. INSP. GEN. HINCKS said he should support the bill, which had not been treated fairly. The very provisions which were⁴⁶ principally⁴⁷ objected to in the petitions that had been spoken of, had been withdrawn. He could not concur in the objection on the ground that this bill incorporated an ecclesiastical body--especially after the votes which he had given this session. He believed the opposition arose generally out of the agitation which was going on against ecclesiastical corporations generally, and proceeded to a great extent from parties unconnected with the Wesleyan denomination. He knew that many members of that body did desire the bill, which would obviate much inconvenience which now existed.⁴⁸ For instance,⁴⁹ he had heard of cases where property belonging to the church was invested in individuals who had withdrawn from the church, and joined other churches. He could see no objection to the bill, as it now stood.⁵⁰

MR. HOPKINS thought that the Bill had been misunderstood; but still, as a friend of the denomination, desired to see the proposed delay acceded to.⁵¹

MR. SOL. GEN. MACDONALD said he was sorry indeed that he had voted for so many of these ecclesiastical corporations; and, considering that the great body of the people⁵² of this country⁵³ seemed opposed to⁵⁴ all Ecclesiastical Corporations, [and were] ... against the bill of the hon. member for Missisquoi,⁵⁵ he trusted that at least the House would consent to postpone the measure for the present.⁵⁶ He doubted whether it was most advisable to incorporate all these bodies, or refuse to incorporate any; but he was decidedly in favour of allowing the present bill to stand over.⁵⁷

MR. MACKENZIE said he would now read a letter⁵⁸.

[Some hon. members:] Dispense, dispense--read, read.⁵⁹

MR. MACKENZIE [continued:] He did not wish to occupy the time of the House--but he had just received a letter from⁶⁰ a methodist in Hamilton,⁶¹ in reference to the amendment he had proposed.

Permission having been obtained, the hon. member proceeded to read from the letter, which stated that many of the Methodist body think that no act of this nature is required; others of them think that an act is required, but they all agree that

this is not the act they require. The preachers had got it up without consulting the members, or without even letting them know that such a thing was contemplated. If it had been known, there would have been many more petitions against it. The discipline of their church is that all changes in the amendment of their general economy must first be submitted at a quarterly meeting. This had not been done in the present instance, and they wanted time to consider what was best to be done. They had been 30 years without such an incorporation, and there could be no harm in a little delay. The same objection may be made to your amendment.⁶²

[A member:] Name, name.⁶³

MR. MACKENZIE,--the name is J. Jones, the person who acted as Secretary to the meeting at Hamilton, from which the petition emanated.⁶⁴

MR. FLINT--It is but about a year since he became connected with the church.⁶⁵

MR. INSP. GEN. HINCKS expressed his surprise at the courage of the hon. Solicitor General (Macdonald) and the hon. member for the second riding.⁶⁶ [He] said there might be something in the opposition if it were merely to postpone the bill till next year, but when members like the hon. Sol. General said they ... opposed⁶⁷ to the death any thing like ecclesiastical incorporations⁶⁸ he could not understand why the bill should be postponed.⁶⁹

MR. RICHARDS was astonished that the hon. Inspector General would think of pushing the methodist body, because the Sol. Gen. and the member for the second riding opposed the present bill upon some different grounds from that which other members had urged.⁷⁰ Because the Solicitor General is opposed to church corporations, he was not opposed to them, and, therefore, on his own ground he called on the Inspector General to vote with him.⁷¹ The hon. gentleman again referred to the letter he had read, and urged upon the House the propriety of postponement.⁷²

MR. J. SMITH (Durham) said that as far as he could ascertain the opinions of his constituents, many of whom are Methodists, he was fully convinced that the present measure would give decided dissatisfaction to the body generally, and he considered it his duty to vote against it. On the other hand, if he voted for it, it might place them in a position they and he would have cause to regret.⁷³

MR. SHERWOOD had taken the best means to ascertain the views of the Wesleyan Methodists and ... [he believed] they were satisfied with it⁷⁴. If he thought that the Methodist body were against that bill he would be sorry to vote for it, but he had taken the course he thought most likely to make them aware of what was the nature of the bill and had received no petitions against it, he was therefore justified in supporting the bill.⁷⁵

MR. INSP. GEN. HINCKS said he had voted for the bill⁷⁶ believing it was approved of by the Methodist body; since then he had seen many statements⁷⁷ in various papers⁷⁸ which led him to doubt the fact⁷⁹ [they opposed] the passing of the bill⁸⁰ and he held in his hand a petition signed by sixty very respectable persons in Peterboro, praying that the bill might be postponed. He should therefore feel obliged to vote for the amendment.⁸¹

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And the Question being put on the Amendment; the House divided: and the names being called for; they were taken down, as follow:--

YEAS.

Messieurs Burritt, Fergusson, Hall, Holmes, Hopkins, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McConnell, Morrison, Notman, Prince, Richards, Sanborn, Scott of TWO MOUNTAINS, Smith of DURHAM, and Smith of WENTWORTH.--(17.)

NAYS.

Messieurs Baldwin, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier,

Cayley, Chabot, Chauveau, Christie, Crysler, Solicitor General Drummond, Dumas, Flint, Fournier, Fourquin, Guy, Guillet, Hincks, Johnson, Lacoste, Laurin, Malloch, McLean, Méthot, Polette, Price, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, Taché, and Viger.--(33.)⁸²

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cayley, Chabot, Chauveau, Christie, Crysler, Solicitor General Drummond, Dumas, Flint, Fournier, Fourquin, Guy, Guillet, Hincks, Johnson, Lacoste, Laurin, Malloch, McLean, Méthot, Polette, Price, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, Taché, and Viger.--(33.)

NAYS.

Messieurs Burritt, Fergusson, Hall, Holmes, Hopkins, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McConnell, Morrison, Notman, Prince, Richards, Sanborn, Scott of TWO MOUNTAINS, Smith of DURHAM, and Smith of WENTWORTH.--(17.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Mr. Flint moved, seconded by Mr. Malloch, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Boulton of NEWFUNK, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cayley, Chabot, Chauveau, Christie, Crysler, Dickson, Solicitor General Drummond, Dumas, Flint, Fournier, Fourquin, Guy, Guillet, Hincks, Johnson, Lacoste, Laurin, Letellier, Malloch, McLean, Polette, Price, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, Taché, and Viger.--(37.)

NAYS.

Messieurs Burritt, Fergusson, Hall, Holmes, Hopkins, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McConnell, Morrison, Notman, Prince, Richards, Sanborn, Scott of TWO MOUNTAINS, Smith of DURHAM, and Smith of WENTWORTH.--(17.)

So it was resolved in the Affirmative.

<u>Bill to enable</u> <u>C.R. Wilkes to</u> <u>Convey certain</u> <u>Real Estate.</u>	An engrossed Bill to enable <u>Caira Robbins Wilkes</u> , the wife of <u>George Samuel Wilkes</u> , of <u>Brantford</u> , Esquire, to convey by herself certain Real Estate devised to her by her late father, was, according to Order, read the third time.
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Resolved, That the Bill do pass.

Ordered, That Mr. Notman do carry the Bill to the Legislative Council, and desire their concurrence.

<u>Toronto and</u> <u>Guelph Rail-</u> <u>way Bill.</u>	An engrossed Bill to amend an Act, intituled, "An Act for incorporating the <u>Toronto and Goderich Railway Company</u> ," and to continue the same as amended, under the name of " <u>The Toronto and Guelph Western Extension Railway Company</u> ," was, according to Order, read the third time.
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The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Cameron of Cornwall, and the Question being put, That the following engrossed Clause be added to the Bill by way of Rider, and do follow the third Clause: "And be it enacted, That it shall and may be lawful for the said Company, if it shall seem to them fit, to raise and

contribute among themselves, in such proportions as to them shall seem meet, and in like shares of five pounds per share, a further sum for the extension of the said Railway by the construction of a Railway and other works necessary thereto,

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from the said Town of Guelph to the waters of Lake Huron at the Port of Goderich in the County of Huron, under and subject to the like clauses, powers and provisions as are hereinafter declared and enacted in relation to the said Railway from the City of Toronto to the Town of Guelph: Provided that such further sum, together with the said sum of Two hundred and fifty thousand pounds hereinbefore mentioned, shall not exceed the sum of Six hundred thousand pounds of the currency of this Province: and provided also, that it shall not be lawful for the said Company to commence the construction of the said extension until the sum of One hundred and fifty thousand pounds shall have been subscribed for that purpose, and ten pounds per centum, per annum, thereon shall have been paid in to the Treasurer of the said Company;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Cameron of CORNWALL, Cayley, Christie, Morrison, Notman, and Smith of FRONTENAC.--(6.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cartier, Chauveau, Crysler, Solicitor General Drummond, Dumas, Fergusson, Flint, Fortier, Fourquin, Guillet, Holmes, Lacoste, LaTerrière, Laurin, Letellier, Mackenzie, Malloch, Polette, Price, Prince, Smith of DURHAM, Stevenson, Taché, and Viger.--(27.)

So it passed in the Negative.

Resolved, That the Bill do pass, and the Title be, "An Act for incorporating the Toronto and Guelph Railway Company."

Ordered, That the Honorable Mr. Cameron of Cornwall do carry the Bill to the Legislative Council, and desire their concurrence.

<u>Sons of</u> <u>Temperance</u> <u>Bill (U.C.)</u> .	An engrossed Bill to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance in <u>Canada West</u> , was, according to Order, read the third time.
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Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Price do carry the Bill to the Legislative Council, and desire their concurrence.

<u>St. Lawrence</u> <u>and Lake</u> <u>Champlain</u> <u>Railroad</u> <u>Branch Bill</u> .	An engrossed Bill to empower the <u>Saint Lawrence</u> and <u>Lake Champlain</u> Railroad Company to make a <u>Branch Road</u> to the Province Line east of the River <u>Richelieu</u> , and to construct a Bridge over the said River, was according to Order, read the third time.
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Resolved, That the Bill do pass, and the Title be, "An Act to empower the Company of Proprietors of the Champlain and Saint Lawrence Railroad to make a Branch Road, and for other purposes."

Ordered, That Mr. Holmes do carry the Bill to the Legislative Council, and desire their concurrence.

<u>Montreal</u> <u>and Vermont</u> <u>Railway Bill</u> .	An engrossed Bill to amend and extend the Act incorporating the <u>Montreal</u> and <u>Vermont</u> Junction Railway Company, was, according to Order, read the third time.
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Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

Toronto School of Medicine Bill.

An engrossed Bill from the Legislative Council, intituled "An Act to incorporate the Toronto School of Medicine," was according to Order, read the third time.

Resolved, That the Bill, with the Amendments, do pass.

Ordered, That the Honorable Mr. Boulton do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, with several Amendments, to which they desire their concurrence.

Bill relating to the Great Cranberry Marsh.

An engrossed Bill to authorize the County of Welland Municipal Council to purchase certain Lands in the said County, known as the Great Cranberry Marsh, and for other purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. McFarland do carry the Bill to the Legislative Council, and desire their concurrence.

Maskinongé Common Bill.

An engrossed Bill to revive and amend the Act relating to the Common of Maskinongé, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Polette do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to Firemen in Cities.

Ordered, That Mr. Boulton of Toronto have leave to bring in a Bill to exempt Firemen in Cities from the payment of Statute Labour Tax.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

School Act (U.C.) Amendment Bill.

Ordered, That Mr. Mackenzie have leave to bring in a Bill to amend the nineteenth section of the Act 13 & 14 Vic. for the better establishment of Schools in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Two Bills relating to Mechanics.

Mr. Smith of Frontenac reported the Bill for the better security of Mechanics and others erecting buildings and furnishing materials therefor, in the several Cities and Towns in this Province.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Mr. Smith of Frontenac also reported the Bill to prohibit the payment of Mechanics and Artificers in certain Trades, of wages in goods, or by way of truck, or otherwise than in the current coin of this Province; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Montreal Corporation Bill.

Mr. Hopkins reported the Bill to amend and consolidate the provisions of the Ordinance to incorporate the City and Town of Montreal, and of a certain Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Quebec Music
Hall Assoc-
iation Bill.

The Honorable Mr. Robinson reported the Bill to incorporate the Quebec Music Hall Association; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Port Burwell
Harbour
Company Bill.

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to amend the Act incorporating

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the Port Burwell Harbour Company, being read;

Mr. Notman moved, seconded by Mr. Flint, and the Question being proposed, That the Report be now received;

Mr. Smith of Durham moved in amendment to the Question, seconded by the Honorable Mr. Merritt, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be now recommitted to a Committee of the whole House, for the purpose of reducing the rate of Tolls" instead thereof;

And the Question being put on the Amendment:--It was resolved in the Affirmative. Then the main Question, so amended, being put;

Ordered, That the Bill be now recommitted to a Committee of the whole House, for the purpose of reducing the rate of Tolls.

The House accordingly resolved itself into the said Committee.

Mr. Meyers took the Chair of the Committee;⁸³

On the question of concurrence in the report of the Committee on the Port Burwell Harbour Company [a debate arose.]⁸⁴

MR. W. BOULTON opposed the export duty on saw logs which was concealed under the pretence of canal lines. It was said that this was to protect the proprietors of saw mills; but he did not believe that was necessary, and was quite sure that the House would never⁸⁵ accede to it⁸⁶ generally.⁸⁷

MR. ROBINSON said the duty was not an export duty; but only a Harbour duty for the accommodation of the trade⁸⁸ generally⁸⁹ which was as much for the good of the trade in saw logs as anything else.⁹⁰

MR. FLINT was in favour of putting an export duty on saw logs. There was this difference between lumber and other goods that while other goods might be increased to almost any amount, lumber once cut down never grew again. If the Americans, therefore, came into the Province to purchase saw logs, it was only fair they should pay something to the Province for doing so. An American might come and cut as much lumber as he pleased by his paying the Crown dues, and perhaps a trifle to the taverns because he could bring all he wanted from the other side. The saw mills then, which were so numerous, ought to have some protection in order that the profit on sawing might⁹¹ be retained in the country.⁹²

MR. H. BOULTON⁹³ opposed the bill⁹⁴ [and] hoped the Bill would not pass. It was just the same thing as asking the farmers to make a present to the Port Burwell Harbour. Formerly, instead of selling their lumber well and for cash, the proprietors of saw-mills used to maintain a monopoly, and just pay these persons whatever they pleased, often in poor lumber, instead of money.⁹⁵

MR. WILSON opposed the Bill.⁹⁶

MR. NOTMAN denied that he wanted to put on an export duty, or that he wanted to protect the saw mills at Port Burwell; but the company had built the harbor, and now large vessels passed through, as well as whole rafts of timber, while formerly only one log could be got out at once; and he asked if the company was to receive no compensation for this? The bill had been before the country for two months, and no opposition had been made to it; no petitions had been sent in against it. The hon. member for Norfolk said that he had a letter against the bill. He (Mr. N.) defied him to say that it was not from Mr. B. Van Norman, the paid agent of an American Lumber Company.⁹⁷

MR. W. BOULTON considered that one shilling a log was too much, as it amounted to a duty of 40 per cent. One half-penny a log was enough to pay for the harbour.⁹⁸

A few words [came] from MR. WILSON, on the nature of the harbor⁹⁹.

MR. SOL. GEN. DRUMMOND opposed the principle of the bill, and said that the rate sought to be levied was altogether incommensurate for the payment of the harbor, and amounted to a high duty.¹⁰⁰

There was a long and rambling discussion on the motion¹⁰¹.

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Meyers reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Meyers reported the Bill accordingly; and the amendments were read, as follow:--

Line 15. After "Harbour" insert "to a Foreign Port."

Line 18. After "Saw Log" insert "two pence."

Line 19. After "Spar or Mast" insert "one shilling and sevenpence."

Line 20. After "squared, hewn, sawed, or round Timber" insert "sixpence."

Mr. Notman moved, seconded by Mr. Flint, and the Question being proposed, That the amendments be now read a second time;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Richards, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Christie, Crysler, Dickson, Guy, Malloch, Morrison, Richards, Scott of TWO MOUNTAINS, and Wilson.--(13.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Flint, Guillet, Hopkins, Johnson, Lacoste, LaTerrière, Laurin, Solicitor General Macdonald, Mackenzie, McLean, Merritt, Méthot, Meyers, Mongenais, Notman, Robinson, Ross, Sauvageau, Seymour, Smith of WENTWORTH, Stevenson, and Taché.--(26.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

And the first amendment, being read a second time, was agreed to.

The second amendment being read a second time;

Mr. Wilson moved in amendment thereunto, seconded by Mr. Richards, That the words "two pence" be left out, and the words "one penny" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cameron of CORNWALL, Christie, Crysler, Dickson, Gugy, Hopkins, Malloch, McLean, Merritt, Méthot, Meyers, Mongenais, Richards, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, and Wilson.--(22.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Flint, Guillet, Johnson, Laurin, McFarland, Notman, Robinson, Seymour, Stevenson, and Taché.--(14.)

So it was resolved in the Affirmative.

The second amendment, so amended, was then agreed to; and is as followeth:--

Line 18. After "Saw Log" insert "one penny."

The third amendment, being read a second time, was agreed to.

The fourth amendment being read a second time;

Mr. Wilson moved in amendment thereunto, seconded by the Honorable Mr. Robinson, That the words "six pence" be left out, and the words "one penny half-penny" inserted instead thereof;

And the Question being put on the Amendment;

The House divided:--

Yeas, 21.

Nays, 11.

So it was resolved in the Affirmative.

The fourth amendment, so amended, was then agreed to; and is as followeth:--

Line 20. After "squared, hewn, sawed, or round Timber" insert "one penny half-penny."

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Yamaska
Common Bill.

Bill, intituled, "An Act to revive the Act authorizing the Inhabitants of the Seignior of Yamaska to regulate the Common of the said Seignior:--"

Andrews' Road
Vesting Bill.

Bill, intituled, "An Act to vest a certain Road allowance in the Township of Hope, in the County of Durham, in James Madison Andrews and others:--"

Kingston and
Toronto Rail-
way Bill.

Bill, intituled, "An Act to incorporate the Kingston and Toronto Railway Company:--"

Bills of Exchange
and Promissory
Notes Bill (L.C.).

Bill, intituled, "An Act to amend the Law in Lower Canada respecting Bills of Exchange and Promissory Notes:--"

Bytown and
Prescott Rail-
way Bill.

Bill, intituled, "An Act to amend the Act incorporating the Bytown and Prescott Railway Company:--"

Replevin Law
Amendment
Bill.

Bill, intituled, "An Act to amend and extend the Law relating to the remedy by Replevin in Upper Canada:" And also,

Joint Stock
Road Companies
Bill (U.C.).

The Legislative Council have passed the Bill, intituled, "An Act to amend the Act, intituled, "An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada," and to extend the provisions thereof," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

Counsel for
conducting
Criminal Pro-
secutions Bill.

The Order of the day for the second reading of the Bill to provide for the appointment of Counsel for conducting Criminal Prosecutions in the Courts of this Province, being read;¹⁰²

MR. H. BOULTON moved the second reading of the bill for one appointment of county barristers to conduct public prosecutions. He considered that these offices should be appointed by the Judges of the Superior Courts, so as to have persons named for their ability, instead of their partizanship. He stated that the appointments made by the government had not been of such a nature as to give satisfaction--young and inexperienced members of the profession had been nominated, and their proceedings were marked by gross blunders and defeat. To prevent the evils flowing from this source, he proposed to vest the appointment in the Judges of the Superior Courts of Common Law in U.C. and in the Judges of the Superior Courts in L.C., and required the nominee to be of five years standing in the profession.¹⁰³

MR. MACKENZIE was very much surprised that the hon. member for Norfolk, after all should have introduced a measure of this nature, which put the whole criminal prosecutions in the Province in the power of a Bench of Tory Judges from whom it was vain to hope for impartiality. Mr. Blake indeed had been in that House as a Reformer, and made a few speeches, but he was a Tory at heart, or the hon. member for North York would never have appointed him to the Chancellorship. The bill was absurd also, in requiring a standing of five years in the practice of the law. It was contradictory to the spirit of the age.¹⁰⁴ If these attornies were to be named at all, ... they should be elected.¹⁰⁵ They have as good justice on the other side of the lines as you have here, and their course of proceeding was most summary and satisfactory. If there is a riot the troops are called out, and the rioters shot down at once. He had seen the bodies of the Astor House rioters collected together, and had heard the groans of the wounded and dying.¹⁰⁶

MR. SOL. GEN. MACDONALD was opposed to the bill¹⁰⁷ [and he] condemned this attempt to relieve the Ministry from the responsibility of conducting criminal trials; and especially of doing so in a manner to give to the Judges such an invidious duty as it was now proposed to confer upon them.¹⁰⁸ He thought it an indirect method of passing a vote of censure on the Government, as it called in question the propriety of the appointments made by them. He then moved the usual hoist.¹⁰⁹

MR. J. SMITH (Durham) considered that some such measure as this was absolutely necessary; but that the present bill was altogether wanting. The complaints of the mismanagements of prosecutions was [sic] general.¹¹⁰

MR. RICHARDS also condemned the bill, but acknowledged that there was a growing desire throughout the country for the creation of a class of officers like those contemplated by the bill.¹¹¹ [He] thought that the hon. member for Haldimand

was the last person in the world who should accuse the hon. Attorney General of a desertion of his principles. The hon. member for Haldimand's talents were of a very peculiar kind, and had, perhaps, a few admirers, but he would find it difficult to persuade the body of Reformers that they were not indebted to the wisdom and prudence of the Attorney General for their present powerful and commanding position. The Attorney General had never been guilty of the rash and absurd conduct which had always characterised the proceedings of the hon. member for Haldimand, the greater part of his life had been spent in recovering his party from the false position in which it had been placed by that member's temerity, and he had succeeded, and one result of that success was, the member for Haldimand had now an opportunity of repaying him with base ingratitude. Whatever difference of opinion there might be among individual Reformers with respect to the principles of the Attorney General on isolated subjects, there was no doubt that the prevailing sentiment of the Reformers of this country was in the highest degree favorable to the fame of the hon. member for the North Riding of York. There was a deep and abiding belief in the country that to the leadership of the Attorney General the country was indebted for the establishment of the system of Responsible Government and the present happy aspect of affairs. The Attorney General's name would go down to posterity with the unqualified encomiums of his countrymen, while that of the hon. member for Haldimand, if remembered at all, would be held in execration for involving brave men in treason, and then fleeing to a foreign land. He had every confidence in the purity and integrity of the Judges now occupying the Bench, and just because he did not wish to see any opportunity of throwing a stain on them, he would oppose them. It placed in their hands a power which it was scarcely possible for them to exercise without invidious accusations of impartiality and improper motives.¹¹²

MR. J. CAMERON (Cornwall) was in favour of the principle involved in the Bill, and would vote for a second reading, with a view to amendment in Committee. He thought it analogous to the mode of criminal procedure in England. It was many years since an imputation had been attempted to be cast on judges in this Province, their integrity and ability were too well known to suffer much from the aspirations of such men as the hon. member for Haldimand. Their purity was above suspicion: It was not often he troubled the House with any lengthened remarks, and still seldomer did he trouble them with anything emanating from the hon. member for Haldimand. But it was calculated to rouse the indignation of any one to listen night after night to such vile slanders as those indulged in by the member from Haldimand—who of all others should have been the last to use them. He affected to speak for the people, but he (Mr. C.) had no hesitation in saying that neither the people of this Province nor the members of this house sympathized with the hon. member in the false and foul aspersions he had uttered. Not a thousandth part of the people of Canada would thank the hon. member for his attacks. The stream of justice ran pure from end to end of the land, and the people knew it. They knew also, that attempts to create a contrary prejudice would be injurious to the interests of justice. Every one had the highest respect for every member of the Bench. The Chief Justices of the Queen's Bench and Common Pleas, and the Chancellor were men, who, whatever might have been their political party at one time or other, now as Judges commanded universal confidence. He wished to repeat what he had often already said, that, with respect to the Chancellor, who had been made the subject of the hon. member for Haldimand's venomous spite, he firmly believed that the country was full and favorably impressed by the talents, integrity, and judicial ability of that learned Judge; Mr. Blake, and he (Mr. C.) had commenced their legal career about the same time, and though always opposed to each other in politics, and often professionally, he had ever had the highest respect for that gentleman's private and public character, and he listened with contempt to the accusation that

he had made any office for himself. He (Mr. C.) was not one of those who had joined in the unfair and unfounded cry against the Chancellor on that score. He believed it contrary to the fact in every view of it, and would be the last to countenance it. He was perfectly certain that the Chancellor, instead of gaining pecuniarily had, by accepting that office, suffered materially in professional emolument.¹¹³

MR. WILSON expressed his gratification at the remarks of the hon. member for Cornwall. The only alloy to his pleasure in that respect was that they had come too late. An occasion had been presented not long since, when the hon. member might have made the same observations, and with a practical beneficial result. Still he was rejoiced to hear them even now. No doubt the judicial Bench of Upper Canada was deservedly in the highest estimation among the people and the profession. He did not bandy words with the hon. member for Haldimand, but he added his testimony to the justice of the observations which had been made in reply to his present attack. He thought that the criminal prosecutor could not be selected advantageously in each county. Every member of the profession was more or less a partizan. He would vote for the amendment.¹¹⁴

MR. AT. GEN. BALDWIN expressed his opinion that the present bill was impracticable. There was a very slight analogy between the English method and the proposed one. After what had been said by the hon. member for Cornwall in reply to the attack on the Bench, he did not feel called on to say anything further than that he entirely concurred in it. Our judges--every one of them--received and deserved the highest confidence of the people of this country. He deprecated unfounded assaults on the Bench--not so much for the sake of the gentlemen who occupied it, for the sake of the people themselves, whose highest interest it was, first, to enjoy the pure administration of justice, and secondly, to believe the truth that they did enjoy it.¹¹⁵

MR. BADGLEY was gratified to hear the unanimous testimony of the highest members of the Bar to the excellence of the judicial Bench of Upper Canada. If it were in any degree annoying that false imputations on that Bench should have been heard on the floor of this House, it ought to be remembered that those imputations proceeded from the hon. member for Haldimand alone.¹¹⁶

Some further discussion [ensued]¹¹⁷.

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Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

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Then, on motion of Mr. Notman, seconded by Mr. Solicitor General Macdonald,
The House adjourned.

[NOTICE OF QUESTION RE: FORMATION OF NEW MINISTRY.]¹¹⁸

COL. PRINCE said he had been much about the city during the day and had heard all sorts of stories about new combinations. He would give notice that he would ask the Administration to-morrow whether there is about to be formed a new ministry. They have a right to refuse to answer the question, but he would certainly ask them, whether there is any grounds whatever, and also the names of these parties. Even the Globe itself is very prominent upon the subject and he was a little anxious to know the real state of the case.¹¹⁹

[NOTICE OF RESOLUTION RE: NAVIGATION OF ST. LAWRENCE.]

MR. MERRITT [gave notice of the following resolution:] Qu'il soit résolu, que cette chambre est d'avis qu'il est de la plus haute importance pour les intérêts de cette province que les mesures nécessaires soient prises immédiatement pour enlever toutes les obstructions qui existent dans le lit du fleuve St. Laurent, entre le lac Ontario et le point où la marée se fait sentir au-dessous de Montréal, à la profondeur de dix pieds d'eau, de manière à permettre aux vaisseaux capables de porter 10,000 barils de farine d'y passer:--Que la résolution précédente soit soumise à Son Excellence le gouverneur-général par ceux des membres de cette chambre qui font partie de l'honorable conseil exécutif de cette province.¹²⁰

FOOTNOTES: 14 AUGUST 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 15 August 1851, GLOBE, 16 August 1851, MONTREAL GAZETTE, 20 August 1851, EXAMINER, 20 August 1851, and NORTH AMERICAN, 22 August 1851.
2. BRITISH COLONIST, 15 August 1851.
3. IBID.
4. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 15 August 1851, EXAMINER, 20 August 1851, MONTREAL GAZETTE, 20 August 1851, and NORTH AMERICAN, 22 August 1851; GLOBE, 16 August 1851, and PILOT, 21 August 1851. A commentary appeared in JOURNAL DE QUEBEC, 26 August 1851.
5. GLOBE, 16 August 1851.
6. BRITISH COLONIST, 15 August 1851.
7. GLOBE, 16 August 1851.
8. BRITISH COLONIST, 15 August 1851.
9. GLOBE, 16 August 1851.
10. BRITISH COLONIST, 15 August 1851.
11. GLOBE, 16 August 1851.
12. BRITISH COLONIST, 15 August 1851.
13. IBID.
14. GLOBE, 16 August 1851.
15. BRITISH COLONIST, 15 August 1851.
16. IBID.
17. GLOBE, 16 August 1851.
18. BRITISH COLONIST, 15 August 1851.
19. GLOBE, 16 August 1851.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. BRITISH COLONIST, 15 August 1851.
25. GLOBE, 16 August 1851.
26. BRITISH COLONIST, 15 August 1851.
27. GLOBE, 16 August 1851.
28. The following papers reported the debate on this matter in identical accounts: GLOBE, 16 August 1851, and PILOT, 21 August 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 15 August 1851, MONTREAL GAZETTE, 20 August 1851, EXAMINER, 20 August 1851, HAMILTON SPECTATOR, 20 August 1851, and NORTH AMERICAN, 22 August 1851.
29. BRITISH COLONIST, 15 August 1851.
30. GLOBE, 16 August 1851.
31. BRITISH COLONIST, 15 August 1851.
32. GLOBE, 16 August 1851.
33. IBID.
34. BRITISH COLONIST, 15 August 1851.
35. GLOBE, 16 August 1851.
36. BRITISH COLONIST, 15 August 1851.
37. IBID.
38. GLOBE, 16 August 1851.
39. IBID.
40. BRITISH COLONIST, 16 August 1851.
41. GLOBE, 15 August 1851.
42. IBID.
43. BRITISH COLONIST, 15 August 1851.

44. GLOBE, 16 August 1851.
45. BRITISH COLONIST, 15 August 1851.
46. GLOBE, 16 August 1851.
47. BRITISH COLONIST, 15 August 1851.
48. GLOBE, 16 August 1851.
49. BRITISH COLONIST, 15 August 1851.
50. GLOBE, 16 August 1851.
51. IBID.
52. IBID.
53. BRITISH COLONIST, 15 August 1851.
54. GLOBE, 16 August 1851.
55. BRITISH COLONIST, 15 August 1851.
56. GLOBE, 16 August 1851.
57. BRITISH COLONIST, 15 August 1851.
58. GLOBE, 16 August 1851.
59. IBID.
60. IBID.
61. BRITISH COLONIST, 15 August 1851.
62. GLOBE, 16 August 1851.
63. IBID.
64. IBID.
65. IBID.
66. IBID.
67. BRITISH COLONIST, 15 August 1851.
68. GLOBE, 16 August 1851.
69. BRITISH COLONIST, 15 August 1851.
70. GLOBE, 16 August 1851.
71. BRITISH COLONIST, 15 August 1851.
72. GLOBE, 16 August 1851.
73. IBID.
74. BRITISH COLONIST, 15 August 1851.
75. GLOBE, 16 August 1851.
76. IBID.
77. BRITISH COLONIST, 15 August 1851.
78. GLOBE, 16 August 1851.
79. BRITISH COLONIST, 15 August 1851.
80. GLOBE, 16 August 1851.
81. BRITISH COLONIST, 15 August 1851.
82. GLOBE, 16 August 1851, noted in error that "the vote was passed 37 to 17."
83. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 15 August 1851, MONTREAL GAZETTE, 20 August 1851, EXAMINER, 20 August 1851, HAMILTON SPECTATOR, 20 August 1851, and NORTH AMERICAN, 22 August 1851. The debate was also reported by GLOBE, 16 August 1851.
84. BRITISH COLONIST, 15 August 1851.
85. IBID.
86. GLOBE, 16 August 1851.
87. BRITISH COLONIST, 15 August 1851.
88. IBID.
89. GLOBE, 16 August 1851.
90. BRITISH COLONIST, 15 August 1851.
91. IBID.
92. GLOBE, 16 August 1851.
93. BRITISH COLONIST, 15 August 1851.

94. GLOBE, 16 August 1851.
95. BRITISH COLONIST, 15 August 1851.
96. IBID.
97. IBID.
98. GLOBE, 16 August 1851.
99. BRITISH COLONIST, 15 August 1851.
100. IBID.
101. IBID.
102. The following papers reported the debate on this matter in identical accounts: GLOBE, 16 August 1851, and HAMILTON SPECTATOR, 20 August 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 15 August 1851, MONTREAL GAZETTE, 20 August 1851, EXAMINER, 20 August 1851, and NORTH AMERICAN, 22 August 1851.
103. GLOBE, 16 August 1851.
104. IBID.
105. BRITISH COLONIST, 15 August 1851.
106. GLOBE, 16 August 1851.
107. IBID.
108. BRITISH COLONIST, 15 August 1851.
109. GLOBE, 16 August 1851.
110. BRITISH COLONIST, 15 August 1851.
111. IBID.
112. GLOBE, 16 August 1851.
113. IBID.
114. IBID.
115. IBID.
116. IBID.
117. BRITISH COLONIST, 15 August 1851.
118. The following papers reported this notice of question in identical accounts: GLOBE, 16 August 1851, and PILOT, 21 August 1851. It was also noted in JOURNAL DE QUEBEC, 26 August 1851.
119. GLOBE, 16 August 1851.
120. JOURNAL DE QUEBEC, 26 August 1851.

FRIDAY, 15 AUGUST 1851.

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Adjournment.

MR. BOULTON of Toronto moved, seconded by Mr. Prince, and the Question being put, That this House do now adjourn, this day being the Feast of the Assumption; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Christie, Fortier, Gugy, Attorney General LaFontaine, Laurin, Mongenais, and Prince.--(8.)

NAYS.

Messieurs Armstrong, Boulton of NORFOLK, Chabot, Dumas, Fergusson, Flint, Fourquin, Hopkins, LaTerrière, Solicitor General Macdonald, Malloch, McConnell, McFarland, Merritt, Meyers, Notman, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, Smith of WENTWORTH, and Stevenson.--(21.)

So it passed in the Negative.

Petition
brought up.

The following Petition was brought up, and laid on the table:--

By Mr. Prince,--The Petition of Henry Allen, of the City of Toronto, Esquire, Barrister, heretofore Judge of the London District.

Joint Stock
Road Companies
Bill (U.C.).

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend the Act, intituled, 'An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada,' and to extend the provisions thereof," be now taken into consideration.

The House accordingly proceeded to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 46. After "line" insert "and such additional shares or stock shall and may be called in, demanded and recovered in the same manner and under the same penalties as is, or are, or may be provided or authorized in respect of the original shares or stock of any such Company."

Press 1, line penult. Leave out from "that" to "Provided" in press 2, line 13, and insert "tolls may be taken by any such Company at each time of passing each gate upon any Road constructed by such Company, for any portion of such Road on either side or on both sides of such gate, not being more than half way to the next gate or gates on the same Road, if any, and not exceeding five miles in the whole, or for the whole of such Road, if the length thereof do not exceed five miles and there be only one gate thereon, at the following rates per mile, that is to say:-- For every vehicle, whether loaded or otherwise, and for the horse or other beast, or one of the horses or other beasts drawing the same, one penny, and for every additional horse or other beast drawing any such vehicle, one half-penny. For every horse and rider, one half-penny. For every led horse, one half-penny. For every score, or number less than a score of sheep, swine or neat cattle, one half-penny."

Press 2, line 16. Leave out from "case" to "and" in line 19, and insert Clause (A.)

Clause (A) "And be it enacted, that the tolls to be taken or levied by any Company formed or to be formed under the said Act cited in the Preamble of this Act, as amended and extended by the Act of the Parliament of this Province passed in the Session thereof held in the thirteenth and fourteenth years of Her Majesty's Reign, chaptered fourteen, and intituled, "An Act to extend the Acts for the formation of Companies for constructing Roads and other works to Companies formed for the purpose of acquiring Public Works of like nature," upon any Road granted or

transferred to such Company under the authority of the said Acts, and the Act passed by the Parliament of this Province, in the Session thereof held in the twelfth year of Her Majesty's Reign, chaptered five, and intituled, "An Act for the better management of the Public Debt, Accounts, Revenue, and Property," shall be regulated by the next preceding section of this Act, all the provisions of which section shall apply to every such Company and Road: Provided, however, that lower rates of toll upon any Road hereafter transferred under the said Act, may be fixed or established in the Order of the Governor in Council transferring the same to any such Company."

Press 2, line ult. Leave out from "resignation" to "other" in Press 3, line 1, and insert "or permanent residence without the County or Counties in which the Road is situated in respect of which such vacancy or vacancies shall occur, or by any."

Press 3, line 18. After "constructed" insert Clauses (B.) and (C.)

Clause (B.) "And be it enacted, That any instrument or receipt required by the said Act in the Preamble of this Act mentioned, or by this Act, to be registered, which, hath been or shall be made, executed or entered into for the construction of any Road or other work, situated or being or intended to be made partly in two or more Counties, shall be considered well registered in pursuance of the said Act and of this Act, if the same hath been or shall be registered with the Register of any County in which such Road or other works shall be partly situated or intended to be made."

Clause (C.) "And be it enacted, That the first year mentioned in the sixth section of the said Act cited in the Preamble of this Act, during which the affairs of any such Company shall be managed by Directors named in the instrument in such section referred to, shall terminate with the last day of December next, after the formation of such Company, in respect of every such Company as shall have been formed during the present year, shall be hereafter formed; and that the term of office of the present Directors of every such Company as shall have been formed previous to the present year, shall expire with the last day of December next; and the Directors of every Company formed or to be formed under the authority of the said Act, and of this Act, shall be annually elected to serve after the expiration of the term of office of the previous Directors, for one year, commencing with the first day of January; and such annual election shall take place according to the provisions of any By-Law which the Directors of the Company, for which such election shall be had, shall have passed, or shall from time to time pass for the regulation of the annual election of the Directors of such Company, not interfering with the qualification of voters mentioned in the said sixth section: Provided, however, that the annual election of Directors for any such Company, shall for any cause not take place regularly at the time appointed, such Company shall not thereby be dissolved, but the Directors thereof, for the time being, shall in that case con-

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tinue to serve until another election of Directors shall be held, which in such case shall take place at such time as shall have been or shall be provided for, by any By-Law passed by the Directors of such Company for that purpose."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Boulton do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Bill to define certain rights of Seigniors &c.

Ordered, That the Order of the day for the second reading of the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof, be postponed until Monday next, and be then the first Order

of the day.

Bill relative
to Toll-Gates,
&c.

The Order of the day for the third reading of the engrossed Bill to prohibit the erection of any Toll-Gate or Toll-Bar which may intercept the free passage of the inhabitants of Cities, Towns or Villages within this Province, in passing from one portion of such Cities, Towns or Villages, to other portions of the same Cities, Towns or Villages respectively, being read;

*Mr. Boulton of Toronto moved, seconded by the Honorable Mr. Boulton, and the Question being proposed, That the Bill be now read the third time;*¹

MR. W. BOULTON: From the statement of the hon. member, it appeared that the measure was directed against the toll-gate at the Don Bridge, which, it was contended, was obnoxious to the citizens, and unjust besides. The relief proposed would exempt residents of the city from payment of toll at that gate, but country persons were not to enjoy the exemption.²

MR. INSP. GEN. HINCKS opposed the Bill which had passed its second reading in his absence. If passed, it would operate unjustly towards companies concerned in the Don and other³ similar⁴ roads.⁵

MR. H. BOULTON said that he had property immediately east of the Don Bridge, and within the liberties of the city, which he could not visit without payment of toll.⁶

MR. H. SMITH (Frontenac) said that no more improper⁷ [nor] unpopular⁸ course could be passed than to maintain toll gates within the city liberties.⁹

MR. H. SHERWOOD reiterated the opinion, and questioned the right of the Road Company to maintain a toll gate at the Don. He attributed the present opposition of the Inspector General to the influence of Mr. Beaty, whose pocket was concerned.¹⁰ Mr. Beaty's influence was more potent with the Government than that of his hon. colleague's from this city. (Loud cries of hear, and laughter.)¹¹

MR. J. CAMERON said that if the toll gate at the Don Bridge were maintained, other toll gates might quite as reasonably be erected in King street or Yonge street. Mr. Beaty had no claim for damages or consideration in connection with this gate because the estimate of the average tolls on the road did not include tolls at this gate, at which no charge had been made previously for two years.¹²

MR. COM. CR. LANDS PRICE made some general remarks in reply, contending that the whole of Mr. H.J. Boulton's motion was a political manoeuvre, and that there was no principle in the bill.¹³ [He] contended for the reasonableness of a toll at the Don Bridge ... and alluded jocosely to the prominent argument in favour of this bill --namely, that the hon. member for Norfolk might reach his farm as cheaply as possible. The hon. member entered into a history of the treaty road transaction, to repel the charges which had been made against the government in connection with that matter.¹⁴ He went over some circumstances of the sale of the roads, saying that the Warden of the Council might have bid higher than the present road Company. He ridiculed the idea of the protest of Mr. Jacques, which he stated, had been prompted by the member for Norfolk and the junior member for Toronto, and that they might as well have made a protest against the orb of heaven shedding his light as against the sale of the roads.¹⁵

MR. H. BOULTON went over the circumstances of the sale of the roads, severely censuring the Government.¹⁶ [He] gave the opposite version of the transaction, which he pronounced the most scandalous job on record.¹⁷

MR. RICHARDS replied in favor of the course pursued by the Government and the Beaty Company.¹⁸

MR. MACKENZIE assailed both, declaring that the Government had acted meanly and deceptively in the matter of the roads, for the sole advantage of the Company, of which the Inspector General was reported to be a partner.¹⁹

MR. INSP. GEN. HINCKS said the report was false.²⁰

MR. MACKENZIE said that the Government had damaged themselves irreparably in the estimation of the farmers of the county of York by their conduct in relation to the County Council and Mr. Beaty. He (Mr. McK.) promised to meet the honourable member for the first Riding of York at the hustings to have this question fairly debated.²¹

MR. MERRITT contended that no suspicion or censure could justly attach to the Inspector General who had acted in a fair straight-forward manner. Having been a member of the Government at the time, he (Mr. M.) felt enabled to make this declaration with a degree of confidence which he might not otherwise have felt, although he disapproved of the sale of two roads, and of the principle involved in that proceeding.²²

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The Honorable Mr. Hincks moved in amendment to the Question, seconded by Mr. Solicitor General Macdonald, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Cartier, Cauchon, Chabot, Solicitor General Drummond, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Hall, Hincks, Johnson, Lacoste, LaTerrière, Laurin, Solicitor General Macdonald, Méthot, Mongenais, Polette, Price, Richards, Ross, Sauvageau, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, Taché, and Viger.--(32.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Christie, Flint, Hopkins, Mackenzie, Malloch, McConnell, McLean, Merritt, Meyers, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(18.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read the third time this day three months.

Message from
the Council.

*A Message from the Legislative Council, by John Fennings
Taylor, Esquire, one of the Masters in Chancery:--*

Mr. Speaker,

*The Legislative Council have passed the following Bills, without Amendment,
viz:--*

Decimal Cur-
rency Bill.

*Bill, intituled, "An Act to provide for the introduction of
the Decimal System into the Currency of this Province, and
otherwise to amend the Laws relative to the Currency:"*

Bill relating
to the expenses
of Light Houses.

*Bill, intituled, "An Act to repeal the Tonnage Dues imposed
for defraying the expenses of maintaining Light Houses, and for
other purposes connected with the navigation of the waters of
this Province, and to provide for the payment of such expenses
out of the Consolidated Revenue Fund:"*

Crown Patent
Fees Bill.

*Bill, intituled, "An Act to extend the period for payment
of Fees on Crown Patents, and for other purposes therein men-
tioned:"*

Currency Act
Amendment
Bill.

Bill, intituled, "An Act to extend the provisions of the Currency Act to certain Gold and Silver Coins coined after the periods in the said Act limited:"

Montreal
Diocese Tem-
poralities Bill.

Bill, intituled, "An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other purposes therein mentioned:"

Church of Eng-
land Society
Bill (L.C.).

Bill, intituled, "An Act to provide for the establishment of a Church Society of the United Church of England and Ireland, in each Diocese of that Church in Lower Canada, and for other purposes connected with the recent division of the

Diocese of Quebec:"

Manufactures
Encouragement
Bill.

Bill, intituled, "An Act for incorporating and granting certain powers to a Company for the encouragement of Manufactures on the Welland Canal:" And also,

Toronto General
Burying Ground
Bill.

The Legislative Council have passed the Bill, intituled, "An Act to authorize the Trustees of the Toronto General Burying Ground to acquire an additional lot of land," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

Canada West
Farmers Mutual
and Stock In-
surance Bill.

An engrossed Bill to incorporate "The Canada West Farmers' Mutual and Stock Insurance Company," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

Western Assu-
rance Company
Bill.

An engrossed Bill to incorporate the Western Assurance Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Sherwood do carry the Bill to the Legislative Council, and desire their concurrence.

Fort Erie and
Buffalo Sus-
pension Bridge
Bill.

An engrossed Bill to incorporate the Fort Erie and Buffalo Suspension Bridge Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. McFarland do carry the Bill to the Legislative Council, and desire their concurrence.

Berthier Aca-
demy Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Directors of the Berthier Academy," was, according to Order, read the third time.

Resolved, That the Bill, with the Amendment, do pass.

Ordered, That Mr. Armstrong do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, with an Amendment, to which they desire their concurrence.

Quebec Music
Hall Associa-
tion Bill.

An engrossed Bill to incorporate the Quebec Music Hall Association, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Ross do carry the Bill to the Legislative Council, and desire their concurrence.

Port Burwell
Harbour Com-
pany Bill.

An engrossed Bill to amend the Act incorporating the Port Burwell Harbour Company, was, according to Order, read the third time,

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Resolved, That the Bill do pass.

Ordered, That Mr. Notman do carry the Bill to the Legislative Council, and desire their concurrence.

Action of
Ejectment
Bill.

The Honorable Mr. Sherwood reported from the Select Committee on the Bill to alter and settle the mode of proceeding in the Action of Ejectment, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Registry Ordi-
nance (L.C.)
Amendment Bill.

Registration of
Deeds Bill, (L.C.).

Enregistration of
Titles Bill,
(L.C.).

Mr. Lacoste, from the Select Committee to which were referred the Bill to amend the Registry Ordinance of Lower Canada, and the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," and, also, the Bill to amend the Ordinance to regulate the Enregistration of Titles in Lower Canada, with an Instruction to the Committee to consolidate the two first Bills into one, if they think proper, presented to the House the Report of the said Committee; which was read, as followeth:--

Your Committee have carefully examined the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," and also the Bill to amend the Registry Ordinance of Lower Canada, which is included and consolidated with the above mentioned engrossed Bill, and the majority of Your Committee have made amendments to the said engrossed Bill, which they recommend to the consideration of Your Honorable House.

Your Committee have given their serious attention to the several Clauses of the Bill to amend the Ordinance to regulate the Enregistration of Titles in Lower Canada, and, after a careful examination thereof, are of opinion, that it is not expedient to recommend the said Bill to the consideration of Your Honorable House.

Registration
of Deeds
Bill (L.C.).

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," as reported from a Select Committee, be committed to a Committee of the whole House, for Tuesday next.

Navigation
Act.

The Honorable Mr. Merritt moved, seconded by Mr. Smith of Durham, and the Question being put, That the Order of the day for the House in Committee for the purpose of taking into consideration certain Resolutions upon which to found an Address to Her Majesty, praying that She will be pleased to sanction the introduction into the Imperial Parliament of a measure to extend the principles recognized in the late Navigation Act, to the natural productions of Canada, be postponed until to-morrow, and be then the first Order of the day; the House divided:--And it passed in the Negative.

On motion of Mr. Christie, seconded by Mr. McLean,

Bill relating
to Bills of
Exchange, &c.

Ordered, That the Order of the day for the second reading of the Bill to amend a certain Act therein mentioned relating to Bills of Exchange and Promissory Notes, be discharged.

Petition of
Rev. E. Faucher,
and others.

Mr. Laurin moved, seconded by Mr. Christie, and the Question being put, That the Report of the Select Committee to which was referred the Petition of the Reverend Edouard Faucher and others, of the Parish of St. Louis de Lotbinière, be printed for the use of the Members of this House; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cartier, Cayley, Chabot, Christie, Crysler, Solicitor General Drummond, Flint, Fournier, Fourquin, Guy, Lacoste, LaTerrière, Laurin, Lemieur, Macdonald of KINGSTON, Malloch, McConnell, McLean, Price, Sanborn, Sherwood of BROCKVILLE, Smith of DURHAM, and Smith of FRONTENAC.--(26.)

NAYS.

Messieurs Chauveau, Dumas, Hall, Hopkins, Letellier, Méthot, Meyers, Notman, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Sherwood of TORONTO, Stevenson, Taché, and Viger.--(15.)

So it was resolved in the Affirmative.

On motion of Mr. Sanborn, seconded by Mr. Stevenson,

Toronto Tem-
perance Refor-
mation Society
Bill.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Temperance Reformation Society of the City of Toronto," be read a second time tomorrow.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Price,

Toronto Hos-
pital Trustees
Bill.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to amend the Act incorporating the Trustees of the Toronto Hospital," be now read the second time.

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Letellier took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Letellier reported, That the Committee had gone through the Bill, and made an Amendment thereunto.

Ordered, That the Report be now received.

Mr. Letellier reported the Bill accordingly; and the Amendment was read, as followeth:--

Press 1, line 39. Leave out from "Hospital" to "former" in Press 2, line 14, and insert "but the said Common Council shall have the power, from time to time, to nominate and appoint any two persons resident in the said City of Toronto, to be Trustees of the said Toronto Hospital, and such two Trustees, and the Trustees to be appointed by the Government, as well as the Trustees at present constituting the said Corporation, shall be removable at pleasure by the power appointing them, and

any Trustees from time to time appointed under the said recited Act, and this Act, shall hereafter compose the said Corporation: Provided always, that subject to such removal as aforesaid, the Trustees at present lawfully composing the said Corporation shall continue to compose the same."

The said Amendment, being read a second time, was agreed to.

Ordered, That the Bill be read the third time to-morrow.

On motion of the Honorable Mr. Hincks, seconded by Mr. Solicitor General Drummond,

Emigrant Act. Resolved, That this House do now resolve itself into a Committee to consider the expediency of amending the Emigrant Act 12 Vic. cap. 6.

The House accordingly resolved itself into the said Committee.

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Mr. Scott of Two Mountains took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Scott of Two Mountains reported, That the Committee had come to several Resolutions; which were read as followeth:--

1. Resolved, That it is expedient to reduce the rate or duty imposed by the Act 12 Vic. cap. 6, so that the same shall be five shillings currency, for every adult Passenger or Emigrant, and three shillings and ninepence currency, for every other Passenger or Emigrant between the ages of five and fifteen, who shall have embarked from any Port in the United Kingdom under the sanction of Her Majesty's Government, ascertained as in the said Act provided; and seven shillings and six pence currency, for every Passenger or Emigrant who shall have embarked without such sanction.

2. Resolved, That it is expedient to declare that it was and is the intention of the said Act, that the monies raised under the authority thereof should be applied, under the authority of the Governor of this Province, as well in defraying the expenses of forwarding destitute Emigrants to their place of destination, and in otherwise aiding, relieving and providing for them, as in defraying the expenses of medical attendance and examination of destitute Emigrants on their arrival; and to enact that it shall be lawful for the Governor in Council to apply any surplus which may remain out of the said monies, after defraying the expenses aforesaid, in aid of any Charitable Institution affording relief to destitute Emigrants and their children.

The said Resolutions, being read a second time, were agreed to.

Emigrant Act
Amendment
Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to amend the Emigrant Act, by reducing the Tax on Emigrants coming into this Province, and for other purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Toronto Gen-
eral Burying
Ground Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to authorize the Trustees of the Toronto General Burying Ground to acquire an additional "lot of land," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 34. After "dead" insert Clauses (A.) (B.) (C.) (D.) (E.) (F.) (G.) and (H.)

Clause (A.) "And be it enacted, That the said Trustees shall make regulations for ensuring that all Burials within the said Burying Ground are conducted in a decent and solemn manner."

Clause (B.) "And be it enacted, That no body shall be buried in any Vault under any Chapel or other Buildings in the said Burying Ground, or within fifteen feet of the outer wall of any such Chapel or Building."

Clause (C.) "And be it enacted, That every part of the said Burying Ground shall be enclosed by walls or other sufficient fences or railings of the height of eight feet at least."

Clause (D.) "And be it enacted, That the said Trustees shall keep the said Burying Ground and the buildings and fences thereof in complete repair, and in good order and condition, out of the monies to be received by them in virtue of the said Acts and of this Act."

Clause (E.) "And be it enacted, That the said Trustees shall make all proper and necessary Sewers and Drains in and about the said Burying Ground, for draining it and keeping it dry; and they may from time to time, as occasion requires, cause any such Sewer or Drain to open into any existing Sewer with the consent, in writing, of the persons having the management of the Street or Road, and of the owners and occupiers of the lands through which such opening is made, doing as little damage as possible to the road or ground wherein such Sewer or Drain may be made, and restoring it to the same or as good condition as it was in before being disturbed."

Clause (F.) "And be it enacted, That if the said Trustees at any time cause or suffer to be brought or to flow into any River, Spring, Well, Stream, Canal, Reservoir, Aqueduct, Pond or Watering place, any offensive matter from the said Burying Ground, whereby the water therein shall be fouled, they shall forfeit for every such offence the sum of Twelve pounds ten shillings currency."

Clause (G.) "And be it enacted, That the said penalty, with full costs of suit, may be recovered by any person having a right to use the water fouled by such offensive matter, by a civil action against the said Trustees for the time being, or any one or more of them, in any Court of competent jurisdiction: Provided always, that the said penalty shall not be recoverable unless the same be sued for during the continuance of the offence, or within six months after it has ceased."

Clause (H.) "And be it enacted, That in addition to the said penalty of Twelve pounds ten shillings, (and whether the same be recovered or not) any person having the right to use the water fouled by such offensive matter, may sue the said Trustees for the time being, or any one or more of them, in a civil action in any Court of competent jurisdiction, for any damage specially sustained by him by reason of the water being so fouled; or, if no special damages be alleged, for the sum of Two pounds ten shillings for each day during which such offensive matter is brought or flows as aforesaid, after the expiration of twenty-four hours from the time when notice of the offence is served on the said Trustees, or any one or more of them, by such person."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Price do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Main Trunk
Line of Rail-
road from
Halifax to
Hamilton, &c.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, That this House will immediately resolve itself into a Committee, to consider the expediency of appropriating a sum of money, not exceeding Four millions of pounds currency, towards defraying the share of this Province in the expenses of constructing a main Trunk Line of Railroad from Halifax to Quebec, and of continuing the said main Trunk Line of Railroad from Quebec to the City of Hamilton, or to some other point of junction with the Great Western Railroad;

such amount to be raised on the security of the Consolidated Revenue Fund, with or without the guarantee of the Imperial Parliament, or on the security of local taxes;

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject matter of this Motion, recommends it to the consideration of the House.

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Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Méthot took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Méthot reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

Party Processions Act
Repeal Bill.

The House, according to Order, resumed the further proceeding upon the second reading of the Bill to repeal the Act ? Vic. c. 6, intituled, "An Act to restrain Party Processions in certain cases."

And the Question being again proposed, That the Bill be now read a second time: --It was resolved in the Affirmative.

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time on Monday next.

Tavern Licenses (U.C.)
Amendment Bill.

The Order of the day for the second reading of the Bill to explain and amend the Act of the last Session, intituled, "An Act to amend the Laws relative to Tavern Licenses in Upper Canada," being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

Bill relating to Lunatics.

The Order of the day for the second reading of the Bill to authorize the confinement of Lunatics in cases where their being at large may be dangerous to the Public, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Private Lunatic Asylums
Bill.

The Order of the day for the second reading of the Bill for the regulation of Private Lunatic Asylums, being read;

The Bill was accordingly read a second time and committed to a Committee of the whole House, for Tuesday next.

Tavern-Keepers, &c., Licenses
Bill.

The Order of the day for the House in Committee on the Bill to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Macdonald took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Macdonald reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Naval Reserves
Vesting Bill.

The Order of the day for the House in Committee on the Bill for vesting in the Commissioners for executing the Office

of Lord High Admiral of the United Kingdom of Great Britain and Ireland, the Estates and Property therein described, and for granting certain powers to the said Commissioners, and for other purposes therein mentioned, being read;

The House accordingly resolved itself into the said Committee.

Mr. Polette took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Polette reported, That the Committee had gone through the Bill, and made amendments thereunto.

And the Question being proposed, That the Report be received to-morrow;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Malloch, That the word "to-morrow" be left out, and the words "this day three months" added instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, Malloch, and Notman.--(5.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Burritt, Cameron of CORNWALL, Cauchon, Chabot, Chauveau, Christie, Crysler, Flint, Fortier, Fournier, Fourquin, Guillet, Hall, Hincks, Lemieux, Letellier, Macdonald of KINGSTON, Mackenzie, McConnell, McFarland, McLean, Méthot, Meyers, Mongenais, Morrison, Polette, Price, Richards, Robinson, Ross, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Wilson.--(40.)

So it passed in the Negative.

Then the main Question being put;

Ordered, That the Report be received to-morrow.

Municipal Corporations Act (U.C.) Amendment Bill.

The Order of the day for the House in Committee on the Bill to amend the Upper Canada Municipal Corporations Act of 1849, by adapting the same to the late change in the Upper Canada Assessment Laws, and for other purposes relating to the Municipal Corporations of that section of the Province, being

read;

The House accordingly resolved itself into the said Committee.

Mr. Sanborn took the Chair of the Committee;²³

On reading the clause fixing the property qualification of persons eligible to become councillors, MR. MACKENZIE objected that the standard fixed was too high. The principle propounded by the historian Macaulay was, that, the object of this kind of legislation should be to secure to the proper class of electors--not to restrict the number of persons eligible to election by a rule which could be easily evaded, and be contended that this principle should be applied to the Parliamentary and Municipal representation of the Province.²⁴

No amendment was moved, however, and the clause was agreed to.²⁵

The other clauses of the bill were passed through and agreed to with some amendments.²⁶

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sanborn reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed
until to-morrow.

Then, on motion of Mr. Solicitor General Macdonald, seconded by Mr. Sherwood
of Brockville,

The House adjourned.

APPENDIX: 15 AUGUST 1851.

[NOTICE OF RESOLUTION RE: SEIGNIORIAL TENURE.]²⁷

MR. CHABOT donne avis de la résolution suivante: "Que c'est l'opinion de cette chambre que le bien public requiert que la question des abus introduits dans la tenure seigneuriale dans le Bas-Canada doit être maintenant décidée, et qu'il est du devoir des ministres responsables du gouvernement de cette province d'aviser Son Excellence, le gouverneur-général, de ne pas clore la présente session avant que la chambre ait décidé sur le bill présenté par le comité spécial, ni avant que le conseil législatif ait eu l'opportunité de se prononcer sur ce bill."²⁸

FOOTNOTES: 15 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 16 August 1851, BRITISH COLONIST, 19 August 1851, EXAMINER, 20 August 1851, HAMILTON SPECTATOR, 20 August 1851, and NORTH AMERICAN, 22 August 1851. LA MINERVE, 19 August 1851, noted the debate.
2. GLOBE, 16 August 1851.
3. IBID.
4. BRITISH COLONIST, 19 August 1851.
5. GLOBE, 16 August 1851.
6. IBID.
7. IBID.
8. BRITISH COLONIST, 19 August 1851.
9. GLOBE, 16 August 1851.
10. IBID.
11. BRITISH COLONIST, 19 August 1851.
12. GLOBE, 16 August 1851.
13. BRITISH COLONIST, 19 August 1851.
14. GLOBE, 16 August 1851.
15. BRITISH COLONIST, 19 August 1851.
16. IBID.
17. GLOBE, 16 August 1851.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. The following papers reported the debate on this matter in identical accounts: GLOBE, 19 August 1851, BRITISH COLONIST, 19 August 1851, EXAMINER, 20 August 1851, HAMILTON SPECTATOR, 20 August 1851, and NORTH AMERICAN, 22 August 1851. GLOBE, 19 August 1851, noted that the House adjourned "at a quarter past twelve."
24. GLOBE, 19 August 1851.
25. IBID.
26. IBID.
27. The following papers reported this notice of resolution in identical accounts: OTTAWA CITIZEN, 23 August 1851, JOURNAL DE QUEBEC, 19 August 1851, and LA MINERVE, 19 August 1851.
28. JOURNAL DE QUEBEC, 19 August 1851.

SATURDAY, 16 AUGUST 1851.

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Petitions read.

PURSUANT to the Order of the day, the following Petitions were read:--

Of the Reverend John Jennings, on behalf of the Congregation of the United Presbyterian Church in the City of Toronto; praying that measures be adopted to abolish all labor on the Lord's Day in the Postal Department of the Public Service.

Of George Tooth; praying indemnity for certain property belonging to him destroyed by the burning of the Court House in the City of Montreal.

Woodstock
and Lake Erie
Railway Bill.

Mr. Wilson moved, seconded by the Honorable Mr. Boulton, and the Question being put, That the Bill to amend the Charter of the Woodstock and Lake Erie Railway Company, and that part of the Sixth Report of the Standing Committee on Railroads and Telegraph Lines which relates thereto, be committed to a Committee of the whole House,

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for Monday next; the House divided:--And it passed in the Negative.

Quebec Pilots
Incorporation
Bill.

Mr. Taché reported from the Special Committee on the Bill to incorporate the Pilots for and below the Harbour of Quebec, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Monday next.

Freedom of
Banking Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to amend the Act to establish Freedom of Banking in this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Bill relating
to Outrages at
Works undertaken
by Incorporated
Companies.

Ordered, That Mr. Solicitor General Drummond have leave to bring in a Bill to continue an Act passed in the eighth year of Her Majesty's Reign, intituled, "An Act for the better preservation of the Peace and the prevention of Riots and violent Outrages at and near Public Works while in progress of construction," and to extend the operation thereof to certain Works undertaken by Incorporated Companies.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Toronto Hos-
pital Trustees
Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to amend the Act incorporating the Trustees of the Toronto Hospital," was, according to Order, read the third time.

Resolved, That the Bill, with the Amendment, do pass.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, with an Amendment, to which they desire their concurrence.

Main Trunk
Line of Rail-
road from
Halifax to
Hamilton, &c.

Mr. Méthot, from the Committee to consider the expediency of appropriating a sum of money, not exceeding Four millions of pounds currency, towards defraying the share of this Province in the expenses of constructing a main Trunk Line of Railroad from Halifax to Quebec, and of continuing the said main Trunk Line of

Railroad from Quebec to the City of Hamilton, or to some other point of junction with the Great Western Railroad; such amount to be raised on the security of the Consolidated Revenue Fund, with or without the guarantee of the Imperial Parliament, or on the security of local taxes, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient to appropriate a sum of money, not exceeding Four millions of pounds currency, towards defraying the share of this Province in the expenses of constructing a main Trunk Line of Railroad from Halifax to Quebec, and of continuing the said main Trunk Line of Railroad from Quebec to the City of Hamilton, or to some other point of junction with the Great Western Railroad; such amount to be raised on the security of the Consolidated Revenue Fund, with or without the guarantee of the Imperial Parliament, or on the security of local taxes.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Macdonald, and the Question being proposed, That the said Resolution be now read a second time;

The Honorable Mr. Sherwood moved in amendment to the Question, seconded by Mr. Malloch, That all the words after "now" to the end of the Question be left out, in order to add the words "recommitted for the purpose of leaving out the words or without" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Christie, Hopkins, Lyon, Malloch, McConnell, McLean, Merritt, Notman, Robinson, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(14.)

NAYS.

Messieurs Bouthillier, Cauchon, Chabot, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Fortier, Fournier, Fourquin, Guillet, Hincks, Attorney General LaFontaine, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenais, Morrison, Polette, Price, Richards, Ross, Sauvageau, Smith of DURHAM, Smith of WENTWORTH, Taché, and Wilson.--(29.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Attorney General LaFontaine, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenais, Morrison, Polette, Price, Richards, Ross, Sauvageau, Smith of DURHAM, Smith of WENTWORTH, and Taché.--(32.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Cameron of CORNWALL, Crysler, Hall, Lyon, Mackenzie, Malloch, McConnell, McLean, Merritt, Notman, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(19.)

So it was resolved in the Affirmative.

And the said Resolution, being read a second time, was agreed to.

Naval Reserves
Vesting Bill.

Mr. Polette reported the Bill for vesting in the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, the Estates and Property therein described, and for granting certain powers to the said Commissioners,

and for other purposes therein mentioned; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Registers
Fees Bill.

The Order of the day for the House in Committee on the Bill to reduce and regulate the Fees of Registrars in Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Sauvageau took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Sauvageau reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Sauvageau reported the Bill accordingly; and the amendments were read, and agreed to.

Mr. Smith of Durham moved, seconded by Mr. Notman, and the Question being proposed, That the Bill be engrossed, and read the third time on Monday next;

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The Honorable Mr. Baldwin moved in amendment to the Question, seconded by Mr. Boulton of Toronto, That all the words after "Bill" to the end of the Question be left out, in order to add the words "as amended, be printed for the use of the Members of this House, and the further consideration thereof postponed" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Boulton of TORONTO, Bouthillier, Cayley, Christie, Macdonald of KINGSTON, Malloch, and McLean.--(8.)

NAYS.

Messieurs Armstrong, Bell, Boulton of NORFOLK, Burritt, Cameron of CORNWALL, Crysler, Solicitor General Drummond, Duchesnay, Fergusson, Flint, Fourmier, Fourquin, Hopkins, Laurin, Letellier, Lyon, Solicitor General Macdonald, Mackenzie, McConnell, Merritt, Notman, Polette, Price, Richards, Sanborn, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Wilson.
--(31.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

Municipalities
Act (L.C.)
Amendment Bill.

The Order of the day for the second reading of the Bill to repeal a proviso of the Act 13 & 14 Vic. cap. 34, amending the Lower Canada Municipalities Act, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time on Monday next.

Richmond and
Stanstead
Circuit Court
Bill.

The Order of the day for the second reading of the Bill to increase the number of sittings of the Circuit Court at Richmond and Stanstead, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Bill to amend
the Law res-
pecting Protests.

The Order of the day for the second reading of the Bill to amend the Law respecting the Protesting of Bills of Exchange and Promissory Notes, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

L'Islet Game Bill.

The Order of the day for the second reading of the Bill to repeal the Act for the protection of certain species of Game in the County of L'Islet, and to enable the Municipalities of the said County to make regulations for that purpose, being read;

Ordered, That the Bill be read a second time on Saturday next.

Small Causes Bill (L.C.).

The Order of the day for the second reading of the Bill to amend the Act providing for the summary decision of Small Causes in Lower Canada, being read;

Mr. Laurin moved, seconded by Mr. Letellier, and the Question being proposed, That the Bill be now read a second time;

Mr. Bouthillier moved in amendment to the Question, seconded by Mr. Armstrong, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of NORFOLK, Bouthillier, Cameron of CORNWALL, Flint, Fournier, Hall, Hopkins, Malloch, McConnell, McLean, Meyers, Mongenais, Morrison, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Smith of FRONTENAC, and Stevenson.--(20.)

NAYS.

Messieurs Cauchon, Cayley, Chabot, Chauveau, Christie, Crysler, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Fourquin, Guillet, Laurin, Letellier, Solicitor General Macdonald, Méthot, Polette, Sanborn, Smith of WENTWORTH, Taché, and Wilson.--(21.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Cauchon, Cayley, Chabot, Chauveau, Christie, Crysler, Solicitor General Drummond, Duchesnay, Dumas, Fergusson, Fortier, Fourquin, Guillet, Laurin, Letellier, Lyon, Solicitor General Macdonald, Méthot, Polette, Sanborn, Smith of WENTWORTH, Taché, and Wilson.--(23.)

NAYS.

Messieurs Armstrong, Badgley, Boulton of NORFOLK, Bouthillier, Cameron of CORNWALL, Flint, Fournier, Hall, Hopkins, Johnson, Macdonald of KINGSTON, Malloch, McConnell, McLean, Meyers, Mongenais, Morrison, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Smith of DURHAM, Smith of FRONTENAC, and Stevenson.--(23.)

And the Votes being equally divided; Mr. Speaker gave his casting Vote in the Affirmative.

The Bill was accordingly read a second time.

Mr. Laurin moved, seconded by Mr. Duchesnay, and the Question being proposed, That the Bill be engrossed, and read the third time on Monday next;

Mr. Armstrong moved in amendment to the Question seconded by Mr. Bouthillier, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be committed to a Committee of the whole House, for this day three months" instead thereof;

And the Question being put on the Amendment; the House divided: and the names

being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Boulton of NORFOLK, Bouthillier, Burritt, Cameron of CORNWALL, Cartier, Flint, Fournier, Hall, Johnson, Solicitor General Macdonald, Mackenzie, Malloch, McConnell, McLean, Meyers, Mongenais, Morrison, Price, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Smith of FRONTENAC, and Stevenson.--(26.)

NAYS.

Messieurs Cauchon, Cayley, Chabot, Chauveau, Christie, Crysler, Duchesnay, Dumas, Fergusson, Fortier, Fourquin, Guillet, LaTerrière, Laurin, Lemieux, Letellier, Lyon, Merritt, Méthot, Polette, Sanborn, Taché, and Wilson.--(23.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be committed to a Committee of the whole House, for this day three months.

Pawnbrokers
Bill.

The Order of the day for the House in Committee on the Bill for the regulation of Pawnbrokers and Pawnbroking, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. LaTerrière took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. LaTerrière reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

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Two Bills
relating to
Imprisonment
for Debt (U.C.).

The Order of the day for the House in Committee on the Bill for abolishing imprisonment for Debt in Upper Canada, and on the Bill to abolish imprisonment for Debt except in cases of fraud, and to render the remedy by Writs of Execution in Upper Canada more effectual, being read;

The House accordingly resolved itself into the said Committee,¹

Mr. Smith of Durham took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Durham reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

Orders
deferred.

Ordered, That the Orders of the day that remain undisposed of at the adjournment of the House this day, be postponed until Monday next.

Burlington Ladies'
Academy Bill.

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the 'Burlington Ladies' Academy'" being read;

The House accordingly resolved itself into the said Committee.

Mr. Armstrong took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Armstrong reported, That the Committee had gone through the Bill, and made an Amendment thereunto.

Ordered, That the Report be now received.

Mr. Armstrong reported the Bill accordingly; and the Amendment was read, as followeth:--

Press 2, line 13. After "provided" insert Clause (A.)

Clause (A.) "And be it enacted, That it shall be the duty of the said Corporation, at all times when they may be called upon so to do by the Governor of this Province, to render an account in writing of their property and affairs, in which shall be set forth in particular the income by them derived from property held under this Act, and the means by which the same has been acquired; also the number of Members of the said Corporation, the number of Teachers employed in the various branches of instruction, the number of Scholars under instruction, and the course of instruction pursued."

The said Amendment, being read a second time, was agreed to.

Ordered, That the Bill be read the third time on Monday next.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

St. Louis de
Lotbinière
Parish Reg-
isters Bill.

Bill, intituled, "An Act to remedy as far as possible the inconvenience which might otherwise arise from the destruction of the Registers of the Parish of St. Louis de Lotbinière:"

St. Lawrence
School of
Medicine Bill.

Bill, intituled, "An Act to incorporate the St. Lawrence School of Medicine of Montreal:" And also,

Toronto Hos-
pital Trustees
Bill.

The Legislative Council have agreed to the Amendment made by this House to the Bill, intituled, "An Act to amend the Act incorporating the Trustees of the Toronto Hospital," without any Amendment: And also,

Toronto School
of Medicine Bill.

The Legislative Council have agreed to the Amendments made by this House to the Bill, intituled, "An Act to incorporate the Toronto School of Medicine," without any Amendment: And

also,

Berthier
Academy Bill.

The Legislative Council have agreed to the Amendment made by this House to the Bill, intituled, "An Act to incorporate the Directors of the Berthier Academy," without any Amendment:

And also,

Bill relating to
the Election of
Members in cer-
tain Townships.

of this House: And also,

The Legislative Council have passed the Bill, intituled, "An Act to fix the place for holding the Polls for the Election of Members of Parliament in Townships divided into Wards, in Upper Canada, and for other purposes relative to Elections," with several Amendments, to which they desire the concurrence

Bill relating to
Municipalities
acquiring
Public Works.

The Legislative Council have passed the Bill, intituled, "An Act to remove doubts as to Municipal Corporate Bodies acquiring Public Works without the limits of such Municipalities," with several Amendments, to which they desire the concurrence of this House: And also,

Law of Dower
(U.C.) Amend-
ment Bill.

The Legislative Council have passed a Bill, intituled, "An Act to amend the Law of Dower in Upper Canada," to which they desire the concurrence of this House: And also,

Joint Stock
Road &c.,
Companies
Act (L.C.).

The Legislative Council have passed a Bill, intituled, "An Act to amend an Act, intituled, 'An Act to authorize the formation of Joint Stock Companies in Lower Canada for the construction of Macadamized Roads, and of Bridges and other Works of like nature,'" to which they desire the concurrence of this

House.

And then he withdrew.

Law of Dower
(U.C.) Amend-
ment Bill.

And engrossed Bill from the Legislative Council, intituled, "An Act to amend the Law of Dower in Upper Canada," was read the first time.

Joint Stock
Roads &c.,
Companies Amend-
ment Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to amend an Act, intituled, 'An Act to authorize the formation of Joint Stock Companies in Lower Canada for the construction of Macadamized Roads, and of Bridges and other Works of like nature,'" was read the first time.

Great Exhi-
bition in
London.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, laid before the House, by command of the Governor General, The First Report of the Commissioners appointed to conduct the Representation of Canada at the Great Exhibition of all

Nations in London.

Appendix (K.K.K.)

For the said Report, see Appendix (K.K.K.)

Ordered, That the said Report be printed for the use of the Members of this House.

Bill relating to
Commissions
for taking
Evidence.

The Order of the day for the House in Committee on the Bill to facilitate the issue of Commissions for the examination of Witnesses and the taking of evidence in Suits at Law pending and to be brought in the several Courts of Record in Upper Can-
ada, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Chabot took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Chabot reported, That the Committee had made progress in the Bill.

And it being Five o'clock, Mr. Speaker adjourned the House till Monday next, without putting the Question.

FOOTNOTES: 16 AUGUST 1851.

1. GLOBE, 19 August 1851, BRITISH COLONIST, 19 August 1851, HAMILTON SPECTATOR, 20 August 1851, and NORTH AMERICAN, 22 August 1851, reported in identical accounts that the discussion on this motion was rather "desultory".

MONDAY, 18 AUGUST 1851.

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Gugy,--The Petition of the Honorable L.M. Viger, and others, Members of this House, proprietors of Fiefs and Seigniories in Lower Canada.¹

COL. GUGY presented a petition from certain seigniors in Lower Canada, praying to be heard by counsel at the bar of the House, against the bill on the subject of the seigniorial tenure.²

The reading of the petition was received with ironical cheers.³

COL. GUGY then moved the reception of the petition, and called the attention of the House to the alarming fact that the measure in question had been only reported on the 12th, and which now on the 17th [sic] was before the House on the second reading. The hon. member for Terrebonne had in his pocket a telegraphic report, announcing two petitions from seigniors, praying for delay. For his own part, from the conduct he had held to his censitaires, he had no pecuniary interest in the question; but he spoke in behalf of a set of men, who were about to be despoiled, and who were in the country but as one to two thousand.⁴

MR. BADGLEY also communicated a telegraphic despatch from Mr. Boston, praying to be heard by counsel.⁵

MR. VIGER confirmed what had been said by Mr. Gugy on the subject of the petitions which were to be forwarded to him.⁶

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By the Honorable Mr. Cameron of Cornwall,--The Petition of the Reverend S.P. Ramsey, M.A. and others, of Newmarket, and other Townships; the Petition of the Reverend John Fletcher and others, of Mono, County of Simcoe; the Petition of the Reverend Thomas W. Marsh, B.A., and others, of the Township of Pickering; the Petition of Francis V. Carey, Esquire, M.D., and others, of Napance and its vicinity; the Petition of John D. Smith and others, of the Townships of Nelson and Trafalgar; the Petition of the Reverend Edward Denroche and others, of Brockville and its vicinity; the Petition of Benjamin Tett and others, of Newborough and other Townships; the Petition of George Hann and others, of Sandwich and its vicinity; the Petition of the Reverend E. Morris and others, of Merrickville and its vicinity; the Petition of Robert Ferguson, Esquire, and others, of Kitley; and the Petition of John W. Gwynne, of the City of Toronto, Esquire.

By the Honorable Mr. Attorney General LaFontaine,--The Petition of John Dougall and others, the Committee of the Montreal Temperance Society.

Petitions read.

Pursuant to the Order of the day, the following Petition was read:--

Of Henry Allen, of the City of Toronto, Esquire, Barrister, and heretofore Judge of the London District; praying to be heard at the Bar of the House in the matter of his dismissal from the said office, as set forth in certain Petitions presented to the House.

Ordered, That the Petition of the Honorable L.M. Viger, and others, Members of this House, proprietors of Fiefs and Seigniories in Lower Canada, be now received and read; and the Rules of this House suspended as regards the same.

And the said Petition was received and read, setting forth: That whereas the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to

facilitate the exercise thereof, contained in the Report made on the 7th instant, by the Special Committee to which were referred the Resolutions of the House, of the 26th June, 1850, on the subject of the Seigniorial Tenure, deeply affects interests of the highest importance, both to the Petitioners and a numerous class of individuals who are proprietors under similar Titles, and the Censitaires; the Petitioners pray the House to be pleased to grant them an opportunity of being heard in support of privileges which are now assailed for the first time: That the Petitioners think themselves the more justified in making that request, inasmuch as, in their humble opinion, they consider the rights of Seigniors and those of Censitaires so closely connected with a plan of commutation of these rights, as to render it impossible to disconnect them, without increasing the difficulties already existing, from the ignorance in which the Seigniors would be left respecting this plan; and the Committee having declared in their Report, that they hope to be enabled, before the close of the present Session, to lay before the House, a plan which, if passed into a Law at a future Session, with such modifications as further reflection and discussion may suggest, will, within a few years, secure the conversion of all lands held en roture into a free tenure, without any material prejudice to the interests of any of the parties concerned, the Petitioners had just reason for believing that the settlement of one part of the question would not be immediately proceeded with, when the Committee themselves acknowledged that it was susceptible of such modifications as further reflection and discussion might suggest at a future Session; and praying the House will be pleased to postpone the discussion of this Bill until the next Session of the Legislature, in order to afford to all parties interested in the matter, an opportunity of judging of its merits and their respective rights, which they could not do this Session, in consequence of the shortness of the period which has elapsed since the Bill was published, (which was only on the 12th instant,) at a later date than that announced by the Provincial Administration at the close of the Session, and in consequence of the distance at which the parties who are vitally interested reside.

Library.

Mr. Chauveau, from the Joint Committee appointed by the Legislative Council and Legislative Assembly for the management and direction of the Parliamentary Library, presented to the House the First Report of the said Joint Committee; which was read, as followeth:--

The Joint Committee having met, and bestowed their best attention upon the matters referred to their consideration, the result of their deliberation is now submitted for approval.

It is a subject for congratulation that additional donations of books in aid of the re-construction of the Library have been received since last Session, of which both Houses have been duly informed by their respective Speakers.

Upon referring to the First Report of the Joint Committee on the Library, of last Session, it will be found that due consideration was then bestowed by the Committees as to the most suitable method of acknowledging, conformably with Parliamentary etiquette, the liberality manifested by those parties who so generously responded to our appeal on behalf of the Library. Agreeably to the suggestions therein contained, circular letters were despatched by the Speakers of the Legislative Council and Assembly respectively, to the various donors of books, transmitting copies of the Resolutions, adopted by each House, expressive of their thankful appreciation of these favours. The Committee have agreed to recommend that a similar course should be adopted with regard to donations received since the date of that Report, as well to record, upon the Journals of either House, a due expression of their sentiments concerning the valuable assistance extended to them in this behalf, as to convey to the parties by whom the presents were sent, some further and more official acknowledgment than they have yet received, of their kindly liberality.

A List of the donations remaining to be acknowledged, will be found recorded

on the Journals of both Houses, for the 23rd May last; to which must now be added, a complete set of the Journals of the House of Lords, from 1509 to 1849, inclusive, presented to the Library by order of the Lord High Chancellor of England, in his official capacity of Speaker of the House of Lords. Also, complete sets of the Laws and Assembly Journals of the Island of Jamaica, from the earliest period to the present time; together with a series of Imperial Parliamentary papers relative to the West Indies, from 1835 to 1847; making in all 107 volumes, presented by the munificence of the House of Assembly of that Island.

Since the opening of the Session, there have been received, from Messieurs Armour & Ramsay, Booksellers of Montreal,--who were entrusted with the purchase of

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the books selected for the English section of the Library, under the direction of the Two Speakers,--ten cases of books, being the completion of their order, (as appears by the invoices,) with a few exceptions, of books not in the market at the time their shipments were made; seven out of the ten cases aforesaid, remain still unopened, it having been thought expedient, owing to the advanced period of the Session, to defer the unpacking of the same until after the approaching removal of the Library to Quebec. So far as the books have been yet examined, it is but just to Messieurs Armour & Ramsay to state, that their execution of the order has been correct and satisfactory. In connection with this matter, the Committee desire to communicate a very gratifying act of international courtesy on the part of the Collector of Customs at New York, who, upon the arrival of the cases of books at that Port, on their transit from London to Toronto, gave directions that they should be immediately forwarded to their destination, instead of, as is the ordinary custom, placing them in bond, until the usual formalities had been complied with. This conduct of the Collector is, in the opinion of the Committee, deserving of honorable mention and acknowledgment.

The Committee regret that, in consequence of unforeseen delays in the preparation of lists of books suitable to be procured for the French section of the Library, no additions have as yet been made to that department; measures, however, have been taken to supply this deficiency, and they confidently expect, before the lapse of another year, to see the Library enriched with large accessions of choice and standard works in French as well as English literature. In furtherance of this desirable object, the Provincial Government have recommended to Parliament the appropriation of Four thousand pounds in aid of the enlargement of the Library; and in expressing their high sense of the liberality of the Government in setting apart so large a sum for this purpose, the Committee desire to state that it will be their endeavour, in providing for the judicious and economical expenditure thereof, to ensure its outlay in a manner best calculated to promote the wishes of Government in obtaining, for the use of Parliament, and of the Public generally, a collection of books worthy to compare with the extensive and valuable Libraries so ruthlessly destroyed at Montreal, in 1849.

In devising proper measures for the careful outlay of the sum placed at the disposal of the Committee, for the purchase of books, attention has been given to the Instructions which, on the 28th and 30th of July, respectively, were given by both Houses to the Committee, to consider the expediency of sending a competent person to Europe, to purchase such classes of works as are necessary to be added to the Library, under the directions of the Committee and of the Two Speakers. After duly considering the arguments in favor of placing orders in the hands of regular Booksellers, or of delegating to some qualified person, authority to proceed to Europe, specially for the purchase of books, it has appeared to the Committee as much preferable, both on the score of economy, and for other reasons, that a person of sufficient experience and discretion in matters connected with books, should be despatched to Europe, to lay out to the best advantage, the funds entrusted to him

for such a purpose. They would propose that Lists should be prepared, under the directions of the Two Speakers, of such French and English works as may be thought suitable to be procured, and placed in the hands of the Agent, accompanied with such general regulations for his guidance as may be considered advisable; with authority to add to or alter such Lists according as it may appear to him, after a careful examination of the book-market, to be expedient. By thus conferring a large discretion upon their Agent, the Committee expect to derive much benefit, and to be enabled to avail themselves, to the utmost extent, of the previous experience and assiduity in examining the book-market, which should be expected in an Agent specially entrusted with such a Commission.

The person selected by the Committee as, in their opinion, best qualified to undertake this duty, is G.B. Faribault, Esquire, Clerk Assistant to the Legislative Assembly, whose literary zeal and indefatigable exertions, for many years past, in collecting works to enrich the American department of the Assembly Library, are well known, and merit the thanks of all concerned in diffusing a taste for investigations into the history of this Continent, and of Canada especially. Their choice of this gentleman will, they are assured, meet the approval of both Houses; and as Mr. Faribault has consented to undertake the mission, and to proceed thereon very shortly after the termination of the present Session, it is to be hoped that, ere another meeting of Parliament, many of the benefits which are anticipated from his exertions will have been derived.

In order to prevent any encroachment upon the funds specially granted for the purchase of Books, the Committee have agreed to recommend that Mr. Faribault's expenses (of which, of course, he will keep detailed accounts, for future examination,) be defrayed jointly out of the Contingencies of the Legislative Council and Assembly.

In furtherance of the encouragement usually extended by the Provincial Legislature to literary enterprise in Canada, the Committee have entertained several applications which have been made to them by parties engaged in various literary undertakings for assistance on behalf of their several publications. Conceiving that the works in question were of a character which merited the patronage of Parliament, they have agreed to recommend that the same be afforded to the extent hereinafter mentioned.

1. Mémoires du R.P. Bressani.--This work relates to an interesting period in the first settlements of Canada, and is descriptive of the labors and sufferings of the pioneers of Christianity in the wilderness. It has been prepared with much care and literary ability, and is still in manuscript. They have recommended that copies to the value of Seventy-five pounds be procured in aid of its publication.

2. Keele's Provincial Justice, and Digest of the Criminal Law of Canada.--The third edition of this book has just been published. As the work is much esteemed by the Magistracy of Upper Canada, for whose use it was specially prepared, and has not hitherto been encouraged by the Legislature, they have agreed to recommend that fifty copies be taken as an encouragement to the Author.

3. Canada; Past, Present, and Future: by W.H. Smith.--This work, which is now in course of publication, is a descriptive and statistical account of Canada West. The Author is already favorably known as the compiler of a useful and compendious Gazetteer of Upper Canada; and his new publication is a praiseworthy attempt to diffuse sound and accurate information respecting the Topography and general condition of the Western Section of the Province. They therefore have recommended that copies to the value of Fifty pounds be purchased in aid of the same.

4. Treatise on the Constitution of the Province; by M. Lajoie.--This little work is very creditable to its Author, and furnishes much useful information upon the subject on which it treats. A second edition, revised and corrected, is in contemplation; and they have agreed to recommend that four hundred copies thereof

Municipalities and Educational Institutions of this Province.

5. Christie's Supplemental Volume of the History of Lower Canada.--This volume, which is distinct from Mr. Christie's History, now in course of publication, will consist of papers and correspondence, private and official, of persons formerly in public life in Lower Canada. These documents are spoken of as highly interesting and curious; and as the writers and those connected therein, are now deceased, no objection exists to their being brought to light; and in an historical point of view it may be considered desirable that they should be made generally accessible, as being valuable materials for a future annalist. The Committee accordingly suggest that a similar number of copies be taken of this work as of Mr. Christie's History, at a price to be hereafter determined.

The Committee have received a Memorial from Mr. J. Huston, Compiler of the "Repertoire National de Littérature Canadienne," one hundred copies of which were ordered to be taken by the two Houses last Session, as an encouragement to the Author for his commendable design of collecting, in a shape for preservation, the fugitive literature of Eastern Canada, from the earliest times to the present day. The price agreed upon by the Committee for this work, was one pound per copy, (consisting of four volumes bound in two,) which now appears to be wholly unremunerative. Having satisfied themselves, by a certificate from the printer of the book, that Mr. Huston could derive no benefit from their vote of last year, but actually sustain considerable pecuniary loss, the Committee have felt bound to recommend that a further sum of Fifty pounds be allowed to that gentleman, to satisfy his reasonable demands, and to carry out their original intentions of assisting him in his literary labors.

A claim was submitted to the Committee by Mr. T.C. Keefer, for remuneration for certain copies of his Essay on the Canals of Canada, deposited by him on board the Steamer in which the Members of the Legislature accompanied His Excellency the Governor General on the excursion through the Welland Canal last summer. These copies, it seems, were taken by Members, for whom, indeed, Mr. Keefer had intended them, he having, it appears, anticipated that they would be paid for by the public; but as he is unable to state that he was authorized to place the copies on board, with a promise that they should be paid for, by any Government Officer, the Committee did not feel at liberty to sanction his claim.

With reference to the Instructions given by the Two Houses to the Committee, to enquire into the expediency of causing General Indices to be prepared to the Journals of the Legislative Council and Assembly, respectively, from the Union to the close of the present Session, and into the probable cost of their compilation, the Committee are of opinion that such works would be of great utility, and they desire to recommend that the Two Speakers be severally authorized to cause an Index to the Journals of the House over which they respectively preside, to be prepared with the least possible delay; and that they be each empowered to make such arrangements for that purpose as may be necessary to effect the same.

The Committee have examined Accounts of the expenditure of the grant of Two thousand pounds made by the Legislature, last Session, in aid of the Library, from which it appears that a sum of One thousand six hundred and eighty-four pounds five shillings and nine-pence, has been expended in the purchase of books for the Parliamentary and English sections of the Library, and relating to the History of America; leaving a balance in the hands of the Two Speakers of Three hundred and fifteen pounds fourteen shillings and three-pence.

No purchases having yet been made on behalf of the French section of the Library, it has been determined to appropriate one-half of the grant of Four thousand pounds, made this Session, to procure French books; this amount being a third of the entire appropriation of Six thousand pounds which, within the past year, has been voted for the Library. This arrangement is in accordance with the proposition agreed upon in the respective purchase of French and English works.

Directions have been given to the Librarians to purchase of Jacques LaBonté, a series of Volumes of La Minerve Newspaper, from 1845 to 1850, inclusive, which he offers for sale for four dollars the Volume. They have also been empowered to cause any binding which is required to be executed during the recess.

Ordered, That the said Report be printed for the use of the Members of this House.

Port Hope
Harbour and
Wharf Company
Bill.

The Honorable Mr. Cameron of Cornwall moved, seconded by the Honorable Mr. Cayley, and the Question being proposed, That the Bill to increase the Capital Stock of the Port Hope Harbour and Wharf Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Friday next;⁷

MR. J. SMITH (Durham) ... went into a detailed statement to show that the Harbour Company had no claims upon the consideration of the House, and that the adoption of the bill would prejudice the town of Port Hope in certain pending proceedings against the Company.⁸ [He] went over the document recently published by the house on the subject of this harbour, and said as the government had refused to take the work in hand they ought to leave the town council and the harbour company to settle the legal dispute now pending between them, and not by this bill indirectly to recognize the existence of the company which was believed to have forfeited all right to its charter. The proposal to allow the company to expend £5000 was a recognition of the legal existence of the company and so it would be regarded by the hon. member for Cornwall when he came to argue the case before a jury. And yet the company admit that they have not fulfilled the conditions of their charter. This was admitted in their petition to the house, wherein they state that they have expended their capital in building state houses and piers, and dredging; they had made no harbour to afford protection to vessels. Yet they charge higher tolls than any other harbour on the lake. In one week they received £100; and in the year, £3000; yet according to the estimate of the engineer of the value of the works they had expended only £5000. He mentioned these facts to show that they receive sufficient tolls to enable them to make a good harbour. The greater part of the stock is held by one family; the thing has become a perfect monopoly; and for 25 years they have not divided a pence among the stockholders, for the reason that the stockholders out of the family hold but little stock, and they do not think it worth while to go into Chancery. The bill proposed a piece of special private legislation. He then read the professional opinion of Mr. Wilson, who is employed as counsel for the town of Port Hope, as to the effect the bill would have, which he (Mr. W.) regarded as treating the company as an existing corporation, and this in spite of all provisos, for a company allowed to expend money is vested with power which cannot be exercised by a defunct corporation.⁹

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Mr. Smith of Durham moved in amendment to the Question, seconded by Mr. Richards, That the words "Friday next" be left out, and the words "this day three months" added instead thereof;

And the Question being put on the Amendment;

MR. J. CAMERON said that the opposition on the part of Port Hope arose out of¹⁰ the object of the member for Durham [which] was to enable the town of Port Hope to obtain the property without paying a farthing for it. The opinion of Mr. Wilson that had been read, he (Mr. C.) entirely dissented from.¹¹

COL. GUGY, the member for the town of Sherbrooke, [asked a question.]¹²

MR. J. SMITH explained that the time for finishing the harbour ... [expired] in 1844; that it not having been so completed, a suit had been commenced by the town

to test the legal existence of the Company; which existence the bill before the house recognized and therefore unjustly interfered with a question which was now a subject of adjudication before the legal tribunals. He denied that the town of Port Hope desired to obtain the harbour without paying for it; they were willing to pay the value that may be put on it by arbitration.¹³

MR. H. SHERWOOD spoke in favour of the original motion.¹⁴

MR. RICHARDS [spoke] in favour of the amendment.¹⁵ [He] contended that the member for Cornwall had made out no case that should induce this house to legislate on a matter which was now a subject of adjudication before the courts. He thought under the circumstances the house ought not to recognize the existence of this company. It was absurd to say that the harbour would fall into the hands of the town without its giving any compensation, if the Courts decided that the company had forfeited its charter.¹⁶

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Solicitor General Drummond, Duchesnay, Dumas, Flint, Fortier, Fournier, Fourquin, Guillet, Hincks, Hopkins, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Méthot, Morrison, Notman, Polette, Price, Richards, Ross, Sauvageau, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, Taché, and Viger.--(37.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Chauveau, Christie, Fergusson, Gugy, Malloch, McConnell, McLean, Merritt, Meyers, Mongenais, Robinson, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(21.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill to increase the Capital Stock of the Port Hope Harbour and Wharf Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for this day three months.

Message from the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Toronto and Guelph Railway Bill.

Bill, intituled, "An Act for incorporating the Toronto and Guelph Railway Company:"

Sons of Temperance Bill (U.C.).

Bill, intituled, "An Act to incorporate the Grand Division and Subordinate Division of the Order of the Sons of Temperance in Canada West:"

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Quebec Music Hall Association Bill.

Bill, intituled, "An Act to incorporate the Quebec Music Hall Association:" And also,

Railways General
Clauses
Bill.

The Legislative Council have passed the Bill, intituled, "An Act to consolidate and regulate the General Clauses relating to Railways," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

Bill relating
to Mechanics
and others.

The Order of the day for the third reading of the engrossed Bill for the better security of Mechanics and others erecting buildings and furnishing materials therefor, in the several Cities and Towns in this Province, being read;

Mr. Boulton of Toronto moved, seconded by the Honorable Mr. Cayley, and the Question being proposed, That the Bill be now read the third time;

MR. NOTMAN¹⁷ opposed the motion on the ground that the bill contained a dangerous principle.¹⁸ The bill ... appeared to him to be an uncalled for interference with the rights of Contractors and others.¹⁹

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Mr. Notman moved in amendment to the Question, seconded by Mr. Cauchon, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. CAUCHON said he voted for the second reading, but he should now vote for the amendment, because he found that the majority of Upper Canada members were averse to the measure.²⁰

MR. W. BOULTON said the bill had been petitioned for by 3,000 inhabitants of Toronto, including most of the influential builders, with nearly all the Foremen and Mechanics engaged in the building trade. Similar enactments were in operation in London, New York, and elsewhere, where they had worked advantageously.²¹

MR. H. BOULTON deemed the bill an infringement on the rights of the private individuals.²²

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Boulton of NORFOLK, Beuthillier, Burritt, Cauchon, Dumas, Fergusson, Fourquin, Hall, Hincks, Hopkins, Solicitor General Macdonald, Merritt, Notman, Polette, Price, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, and Viger.--(21.)

NAYS.

Messieurs Badgley, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cayley, Chabot, Christie, Duchesnay, Guy, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Mackenzie, Malloch, McConnell, McLean, Méthot, Meyers, Mongenais, Morrison, Robinson, Ross, Sanborn, Sauvageau, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, and Taché.--(32.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cayley, Chabot, Christie, Duchesnay, Guy, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Mackenzie, Malloch, McConnell, McLean, Méthot, Meyers, Mongenais, Morrison, Robinson, Ross, Sanborn, Sauvageau, Seymour, Sherwood of BROCKVILLE, Sher-

wood of TORONTO, Smith of FRONTENAC, Stevenson, and Taché.--(32.)

NAYS.

Messieurs Armstrong, Bell, Boulton of NORFOLK, Bouthillier, Burritt, Cauchon, Dumas, Fergusson, Fourquin, Hall, Hincks, Hopkins, Solicitor General Macdonald, Merritt, Notman, Polette, Price, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, and Viger.--(21.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Mr. Boulton of Toronto moved, seconded by the Honorable Mr. Cayley, and the Question being put, That the Bill do pass, and the Title be, "An Act for the better security of Mechanics and others erecting buildings and furnishing materials therefor, in the City of Toronto;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cayley, Chabot, Christie, Duchesnay, Fortier, Guay, LaTerrière, Laurin, Lemieux, Letellier, Mackenzie, Malloch, McConnell, McLean, Méthot, Meyers, Mongenais, Morrison, Robinson, Ross, Sanborn, Sauvageau, Seymour, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, and Taché.--(31.)

NAYS.

Messieurs Armstrong, Bell, Boulton of NORFOLK, Bouthillier, Burritt, Cauchon, Dumas, Fergusson, Fournier, Fourquin, Hall, Hincks, Hopkins, Attorney General LaFontaine, Solicitor General Macdonald, Merritt, Notman, Polette, Price, Scott of TWO MOUNTAINS, Smith of DURHAM, Smith of WENTWORTH, and Viger.--(23.)

So it was resolved in the Affirmative.

Ordered, That Mr. Boulton of Toronto do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to the payment
of Mechanics.

The Order of the day for the third reading of the engrossed Bill to prohibit the payment to Mechanics and Artificers in certain Trades, of wages in goods, or by way of truck, or otherwise than in the current coin of this Province, being read;

Mr. Boulton of Toronto moved, seconded by the Honorable Mr. Sherwood, and the Question being proposed, That the Bill be now read the third time;

Mr. Notman moved in amendment to the Question, seconded by Mr. Letellier, That the word "now" be left out, and the words "this day six months" added at the end thereof;²³

MR. NOTMAN ... [remarked] that the bill was more objectionable than the last; according to the provisions of the present measure, no contract could be entered into unless the wages were paid in money.²⁴ The Bill prohibited any mechanic from receiving payment in goods²⁵. It would prevent all barter, and would be highly inconvenient in a new country like this²⁶ where money was scarce²⁷. If a mechanic should consent to accept property of any description other than coin or bank notes, he might receive it and afterwards repudiate the contract, and²⁸ turn round and sue his employer²⁹ for work and labour, and could recover in coin. Any contractor violating the provisions of the bill would be exposed to a charge of misdemeanor.³⁰ Nothing could be more objectionable than such a measure.³¹

MR. W. BOULTON referred to the 7th clause of the bill to show that bank notes would be a legal tender, and that, so far, the hon. member for Middlesex had misunderstood its provisions.³² [He] feared that the hon. member for Middlesex wanted one requisite of a great statesman--magnanimity. He (Mr. B.) had brought all this upon himself by opposing a harbour bill of the hon. member for Middlesex.³³

MR. NOTMAN--I tell the gentlemen it is quite untrue.³⁴

MR. W. BOULTON continued. The bill had not been introduced at his own motion.³⁵ He did nothing in it to gratify any whim of his own, but in compliance with a petition signed by between 2,000 and 3,000 inhabitants of this city, including nearly the whole of the large employers of labour, with tradesmen, merchants, and others, of all parties,³⁶ among whom were some of the most respectable names in the city. There were Mr. Ritcher, Mr. Petch, Mr. Stenard, Mr. Harper, and a large number of merchants. Mr. Metcalfe was the only builder opposed to the passage of the bill; but he was just about the best man that should object its passing. He had the contract for the building of the cathedral and employed about 100 men, whom he paid in orders on stores, and charged them 50 per cent more for goods than they could be purchased for cash.³⁷

[A question was asked about the application of the bill.]³⁸

In answer ... MR. W. BOULTON stated that the bill was confined to the city of Toronto.³⁹

MR. MACKENZIE had given great pleasure in supporting the bill, which he⁴⁰ said was looked upon with a friendly feeling⁴¹. [It] would give proper satisfaction to the people of Toronto⁴² [and] persons of all parties.⁴³

(295)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Solicitor General Drummond, Duchesnay, Dumas, Ferrousson, Fournier, Fourquin, Guillet, Hall, Hincks, Hopkins, Attorney General LaFortaine, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Malloch, McConnell, McFarland, McLean, Merritt, Méthot, Notman, Price, Ross, Sanborn, Sauvageau, Seymour, Smith of DURHAM, Smith of WENTWORTH, and Viger.--(36.)

NAYS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Christie, LaTerrière, Mackenzie, Meyers, Morrison, Robinson, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Taché.--(14.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read the third time this day six months.

Montreal Corporation Bill.

An engrossed Bill to amend and consolidate the provisions of the Ordinance to incorporate the City and Town of Montreal, and of a certain Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cartier do carry the Bill to the Legislative Council, and desire their concurrence.

Party Processions Act Repeal Bill.

The Order of the day for the third reading of the engrossed Bill to repeal the Act 7 Vic. c. 6, intituled, "An Act to restrain Party Processions in certain cases," being read;

Mr. Boulton of Toronto moved, seconded by the Honorable Mr. Macdonald, and the Question being put, That the Bill be now read the third time;⁴⁴

MR. W. BOULTON of Toronto, said that as the object of Legislation should be the administration to all equal and impartial justice, he felt it his duty to introduce a bill to repeal a law which was admitted by all classes to act unequally, unjustly, and most partially towards one particular class, the Members of the Loyal Orange Institution in Canada. Although he brought in the bill, he begged it to be understood that he did so, not at the request of the Orange Association, but upon his own responsibility. At an early period of the session, a petition was presented from the Grand Master of the Orange Institution, praying for a repeal of that obnoxious law. That petition was presented in the Upper House by an hon. member, who, although not a minister, might almost be considered to act officially for the Government;--he alluded to the Hon. Mr. Ross, who for years past had acted as the Crown Officer employed by the present Government to conduct the criminal business in various parts of the country, and the language used by him was not only most worthy of notice, but vindicated as he thought the course the government should pursue in regard to this question.

"The Hon. Mr. Ross did not think this Act had done the good its originators hoped it would; when it was passed he was in favor of it, but now that Orangeism was very general in the country, and that the members of the Institution had recently given tangible proof of their determination to support the constitution and institutions of the country, as connected with England, he did not think it right that this act should remain in force against them. He was opposed to all societies and processions of this kind; but it was well known that this Processions Act, as against Orangemen, was perfectly inoperative. He was concerned in the investigation of the melancholy affair at Slabtown, and although very clear evidence was sent to the jury, they refused to find bills against the Orangemen. He also saw in Hamilton, last year, where the fact of a procession was clearly proved, yet the jury refused to find the parties guilty; and he believed juries were generally averse to find verdicts against parties violating this act. He would be anxious to try the effects of conciliation now, and he hoped the result would be a speedy end to all such processions in Canada. From the fact that the Orangemen always stood firm in their allegiance to the Crown, he thought them entitled to some consideration from this House."

After the Petitions had been presented some weeks and no action taken upon them, he felt it his duty to introduce a Bill to repeal this most obnoxious and unconstitutional law, declared by so high an authority to be utterly inoperative, and under which he believed no convictions could take place; he had asked himself frequently why was so obnoxious a law ever enacted? he had recollected in early days prior to the Union, all parties living together in Upper Canada, in harmony and good feeling, and not unfrequently Catholics joining Orangemen in procession on the 12th July; in Lower Canada he had never heard that prior to the Union Orange Processions had given offence to the Catholics of Lower Canada. Then why was this law passed after the Union, when before it was not considered necessary? he could only account for it from the fact, that when Lord Sydenham resolved upon the Union, and resolved upon carrying it out by the minorities of both Provinces--the British population of Lower Canada and the Reformers of Upper Canada--a contest took place at the elections in 1841, which was more fiercely and bitterly maintained than on any former occasion;--in Upper Canada the staunch opposition made by the Loyal Orangemen to the government of the day, necessarily procured for them the hostility of those in power, and the result was the passing of the Act he now sought to repeal. Hon. members must bear in mind that this Act, in pretending to suppress certain Processions therein described as Party Processions, had since its passage very generally been declared to apply only to the annual demonstration of the Orange Association of Canada, and that what was perhaps intended as a law applicable to all classes, had been made to assume a most proscriptive and offensive element towards

all the members of that body, and since its enactment the only cases in which it was attempted to be enforced were against Orangemen--not only were they the only parties aimed at, but so obnoxious was the law considered throughout the land, that all attempts to enforce it have failed, and the laws, by mutual consent, are brought into disrepute. It was well known that since the law was passed, the officers of the Institution and many of its members had endeavoured to prevent the law being set at nought, but the taunts of others, themselves permitted to walk in procession undisturbed, have induced many members of the body in almost every part of the Province to infringe the requirement of the law, not discriminating between their own and other processions more or less of a party of political character. The Institution is not a political one for the support of opposition of any particular political party. Their watchword is loyalty to their Sovereign and attachment to their Institutions and connexion with the mother country. And upon a recent occasion the manly stand they took in their defence was fully recognized. Since the law has been in force, party processions have not diminished, but increased throughout the Province; and during the last year, he heard it stated their numbers had increased by some 200 members; it must therefore be conceded that the law was not only wholly inoperative, but if the Institution was a bad one, as some ventured to allege, it was largely on the increase. He must remind the Honorable Inspector General of language used by him in a former debate on the Usury laws; in advocating their repeal, he stated it as his opinion, the Usury Laws were daily violated and never enforced, and he then declared it to be the bounden duty of the Legislature to interfere and repeal a Law which could not be enforced--the language of the Inspector General he now repeated, and urged its adoption by the House. If applicable to a question affecting only monetary transactions between man and man, in which no breaches of the peace, no open violation of the law take place, how much more was it applicable to the present case, where the law not only is never enforced, but where it is admitted on all hands it cannot be enforced; and when it is borne in mind, that collisions frequently take place and even lives are lost--the orangemen not being the aggressors, he considered it most demoralizing in a community, that a law should exist, which the Government and authorities were obliged to admit they could not enforce. If one man conceiving a law bad, is allowed to violate it with impunity, others will think another law bad, and with the same right set it at defiance, and thus there would soon be an end to all law. He referred to several papers who had noticed the processions of the twelfth July last, and though none condemned the demonstration, all regretted the violation of the law; and though in this city we had a very large Roman Catholic population, he had not heard of one party taking offence at it, not one application to the magistracy for a violation of the law, nor did the reputed organ of the Catholics in Toronto even condemn the procession or view it in the light of offering insult or annoyance to them as a body.--From this he inferred that a better day was dawning upon Canada, that, as was formerly the case, good feeling would be restored, and the Orangemen and Catholics live in unity together; the repeal of this law would go far to increase this feeling, and he sincerely trusted that all parties within the House, viewing the measure in this light, would record their votes in favor of the final passing of the bill.⁴⁵

MR. RICHARDS said it was no argument against the bill to say that it was not now enforced. If the legislature were ready to repeal the act prohibiting processions, they must, to be consistent, enact a law declaring processions to be legal. He shall vote against the present bill.⁴⁶

MR. J. CAMERON referred to Ireland to show that, for a long series of years after the battle of the Boyne, Orange processions went on without any ill feeling on either side; and he contended that so far as this country was concerned, the Orangemen had almost uniformly been the attacked party, not the assailants. The existing

law of the Province was obnoxious, more particularly because it was directed against one body of the community, and one only. It was practically inoperative; and it was altogether unnecessary, because the common law was sufficient to preserve the public peace.⁴⁷

MR. ROBINSON said, on reference to the act of 1843, which it was now sought to repeal, he observed the preamble stated it was "expedient entirely to prohibit the same," meaning party processions. Now, he (Mr. R.) thought he might appeal to every hon. member in the House whether the act in question had had that effect, it was notorious such was not the case. He (Mr. R.) knew many respectable Irishmen who had belonged to the Orange Society in Ireland, but who never joined the Association in this country until this law was passed in 1843--they objected to being placed on a different footing from others of Her Majesty's loyal subjects, and he (Mr. R.) thought with great injustice. Did we not see in Lower Canada and this part of the Province too, processions permitted by the public authorities, which were quite as likely to lead to a breach of the peace as an Orange procession. He (Mr. R.) would be the last one to uphold Orangemen or any one else in a breach of the peace--but he believed the ordinary laws of the land were quite sufficient to punish such cases, and he objected to singling out Orangemen as a class of men to be punished by a special enactment. In the case of the melancholy event in Slab Town, near St. Catherines, mentioned by the hon. member for Cornwall--what was the fact? Why, that some 18 or 20 Orangemen were quietly dining in a building by the road side, when they were fired on by some hundreds of people, whom they had in no way molested. He (Mr. R.) would cheerfully vote for repealing the law as proposed by the present bill.⁴⁸

MR. INSP. GEN. HINCKS said he intended to give a silent vote--indeed, he was not sure whether he would have divided the House on the bill or not, but for the remarks of the hon. member for Leeds, and the two hon. members who had just spoken. --However, he must now say that he did agree with the hon. member for Leeds in thinking that it was not because a law was violated that it should be repealed. Nor did he conceive that the law was unnecessary. In Ireland it had not been repealed, and then re-enacted.⁴⁹ [The] hon. member from Cornwall was aware that it was in consequence of some riots that took place in Ireland. These riots took place in County Down in 1849. The common law was considered sufficient at that time, but it was found necessary to re-enact that law, and it was distinctly upon these grounds the government came forward with the measure to put an end to these Orange processions, and it was in consequence of the law having been repealed that it was found necessary to do so. He believed that the law had had a beneficial effect and it did not follow that because persons are prepared to violate the law of the land,--that therefore the law should be repealed. It was said that the law was aimed at a particular class, but it operated equally against any party who would violate the public peace by party processions. He believed that these processions violate the public peace, and although such processions had taken place since the passing of the law they could not say how much good the law had done by preventing many persons who otherwise would have joined these processions going to them, from the fact that it was a violation of the law of the land. Believing that it had had a beneficial effect he considered it unnecessary at present to repeal it. He believed the repeal of the law in Ireland had a bad effect, and it was therefore inexpedient to repeal the law at the present time.⁵⁰

MR. H. SHERWOOD could not understand the position of the Inspector-General. He professed to have intended not to vote against the bill, and yet because of some remarks from the hon. member for Leeds and other constituencies, he found it necessary, on behalf of the Government, to oppose it. Now what could be gathered from that? Why that the Government conceived no great principle was at stake, and

were only induced to take the course they were about to adopt by accidental circumstances, which occurred in the debate.⁵¹ The course of the government showed that they were quite indifferent whether this law was retained or repealed.--The law was made accidenly [sic], with a view to put down Orangemen, and for no other purpose, because a bill to put down what was [sic] called Secret Societies was passed at the same time by the Legislature at Kingston. But Lord Metcalfe objected to give his consent to the Secret Societies bill, because it contained clauses the most oppressive that could be conceived. It prevented an Orangeman sitting on a jury, and it compelled the Judges of the land to swear annually that they were not Orangemen; and it prevented any Orangeman holding an office under government. But Lord Metcalfe came forward boldly and resisted this bill.⁵²

MR. INSP. GEN. HINCKS--He was the author of it.⁵³

MR. H. SHERWOOD did not know what great secrets the hon. gentleman was disclosing, but he did not believe the statement.⁵⁴

MR. INSP. GEN. HINCKS--He was most distinctly, the author of the bill.⁵⁵

MR. H. SHERWOOD would believe Lord Metcalfe against the united statement of that Counsel; and he did not believe that Lord Metcalfe was the author of the bill.⁵⁶

MR. INSP. GEN. HINCKS--He was the author of it.⁵⁷

MR. H. SHERWOOD--One thing he was certain of, Lord Metcalfe opposed the bill, and the Province sustained him, and the British Government afterwards approved of the course. With regard to the bill now before the House, he did not see much objection to it. He would much rather that the practice of going in public processions would be desisted from, but this law had not had the effect and he would like to see it discontinued. He did not think that much harm had risen from it; but the fact that these people think you have enacted a law against them, makes them determined not to submit to it. He was convinced if this law were repealed, we would live more harmoniously together than at present. He recollected a time when the Inspector General attended these Orange Societies.⁵⁸

MR. INSP. GEN. HINCKS--No you don't.⁵⁹

MR. H. SHERWOOD recollected the time when he attended a public dinner for the Orange Society (laughter).⁶⁰

MR. INSP. GEN. HINCKS--I never had anything to do with Orangemen in my life (laughter).⁶¹

MR. H. SHERWOOD recollected the time when the Inspector General attended a public dinner when the toasts agreed upon were such as not to give offense either to Orangemen or Roman Catholics, and at that dinner the head member proposed as a toast the health of Ogle R. Gowan, the Grand Master of the Orange Association.⁶²

MR. INSP. GEN. HINCKS--As Grand Master of the Association.⁶³

MR. H. SHERWOOD did not like to say as much (laughter) but he was known as such, and only conspicuous, and only known publically as the Grand Master of the Orange Association.⁶⁴

MR. INSP. GEN. HINCKS--He was sitting at the opposite side of the table and I merely proposed his health.⁶⁵

MR. H. SHERWOOD--What was the effect of this? Why they rushed upon the hon. member and but for the interference of several people would have injured him.⁶⁶

MR. INSP. GEN. HINCKS--No such thing. (Laughter.)⁶⁷

MR. H. SHERWOOD--All this can be proved by living witnesses. There are facts

that cannot be disputed, and under these circumstances when the Inspector General did propose the health of Ogle R. Gowan at a public festival, and when we find that this law has been worse than useless, the better way is to allow it to be erased from the Statute Book and let us live together and be mutually protected by the common law of the land and we will get on more smoothly and more harmoniously.⁶⁸

MR. J. CAMERON again replied in reference to the difference in the English law of 1850 and the law which they were now seeking to repeal. The English law was aimed at no particular party, but was enacted to prevent all public assemblages in Ireland, and when it came before the House of Lords, it was expressly stated that it was desirable to have it passed into law before the 17th day of March. Now, every one knows that that is the patron saint's day, and not the day that commemorates the battle of the Boyne.⁶⁹

MR. MACKENZIE at some length urged the repeal of the law. He stated that when he first stood for the representation of the city of Toronto against the hon. Mr. Baldwin, he was supported by all the Orangemen, and he could not understand why, until he learned that that hon. gentleman's father had, whilst in Parliament, brought forward a bill to put them down. But during all his stay in the United States he never heard of such things as Orange processions, and he had met with vast numbers both of⁷⁰ Irish Protestants and Irish Catholics⁷¹ there. The hon. gentleman referred at some length to the unhappy effects produced in Ireland by parties styling themselves Orangemen, who cunningly acted upon the prejudices of the lower classes, and made them their obedient tools in every mischief, and the ignorant multitude were often made to act more like demons than men. He had great faith in the spread of education making men more sober, and banishing all such absurdity from the earth. He himself had unfortunately suffered by them⁷². He had been besieged and stoned by them and uniformly opposed by them since the first election which he had spoken of,⁷³ but he was not called upon in his place in Parliament to revenge himself; he would oppose such low truckling; he was determined to vote according to the best conviction of his conscience, independently of whether that vote were popular or no. And while he was decidedly opposed to all orange societies or any society by which sectarian feelings or prejudices might be fostered, he would vote that this bill be repealed as he was confident that good would result from it, and he hoped to see the day when nobler and more exalted views would animate activity, when our children will play together, irrespective of what form of religion their fathers or mothers pursued. He then read from the Globe of the 24th June the remarks made as to the necessity of expunging this law from the statute book, and expressed his concurrence in the statements, and said he was convinced that if this were done, and if our contemplated railroads and ocean steamers were put in motion, Canada would yet do well, as she would then hold out the olive branch of peace to all.⁷⁴

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the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cartier, Cayley, Chabot, Chauveau, Christie, Solicitor General Drummond,

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Hall, Holmes, LaTerrière, Laurin, Letellier, Lyon, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McFarland, McLean, Meyers, Morrison, Robinson, Sanborn, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, Taché, and Wilson.--(38.)

NAYS.

Messieurs Bell, Bouthillier, Burritt, Dumas, Fergusson, Fournier, Fourquin, Guillet, Hincks, Lacoste, Attorney General LaFontaine, Lemieux, Méthot, Polette, Richards, and Viger.--(16.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass, and the Title Be "An Act to repeal the Act of the 7th Victoria, chapter 6, intituled, 'An Act to restrain Party Processions in certain cases.'"

Ordered, That Mr. Boulton of Toronto do carry the Bill to the Legislative Council, and desire their concurrence.

Registrars' Fees Bill. An engrossed Bill to reduce and regulate the Fees of Registrars in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to reduce and regulate the Fees of the Registrars in Upper Canada."

Ordered, That Mr. Smith of Durham do carry the Bill to the Legislative Council, and desire their concurrence.

Municipalities Act (L.C.) Amendment Bill. An engrossed Bill to repeal a proviso of the Act 13 & 14 Vic. cap. 34, amending the Lower Canada Municipalities Act, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to repeal a Proviso of the Act of the now last Session amending the Lower Canada Municipalities Act."

Ordered, That Mr. Sauvageau do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to Municipalities acquiring Public Works. Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to remove doubts as to Municipal Corporate Bodies acquiring Public Works without the limits of such Municipalities," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 2, line 2. After "Village" insert "in such County or United Counties."

Press 2, line 15. Leave out from "of" where it occurs the second time, to "and" in line 18, and insert "the Local Authorities or Companies owning the respective Roads in respect of which such fines and forfeitures shall be imposed, for the use of such Local Authorities and Companies respectively."

Press 2, line 21. After "Jurisdiction" insert "of any County or Union of Counties."

Press 2, line 22. Leave out from "of" where it occurs the first time, to "such," and insert "which."

In the Preamble of the Bill:

Press 1, line 7. Leave out from "Buildings" to "District" and insert "which it may be found more convenient to place under the management of such."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Meyers do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Railways General Clauses Bill. Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to consolidate and regulate the General Clauses relating to Railways," be now

taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 19, line 21. Leave out from "tolls" to "2" in line 25.

Press 19, line 42. After "thing" insert "4. No tolls shall be levied or taken until approved of by the Governor in Council, nor until after two weekly publications in the Canada Gazette of the By-Law establishing such tolls, and of the Order in Council approving thereof: 5. Every By-Law fixing and regulating tolls shall be subject to revision by the Governor in Council, from time to time, after approval thereof as aforesaid; and after an Order in Council reducing the tolls fixed and regulated by any By-Law shall have been twice published in the Canada Gazette, the tolls mentioned in such Order in Council shall be substituted for those mentioned in such By-Law, so long as such Order in Council remains unrevoked."

Press 36, line 32. After "mentioned" insert "14. No amendment or alteration in this Act shall be held to be an infringement of the rights of any Company authorized to construct a Railway by any Act of this or any future Session, with which this Act is or shall be incorporated."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Bill to define
certain rights
of Seigniors, &c.

The Order of the day for the second reading of the Bill to define the rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof, being read;

Mr. Solicitor General Drummond moved, seconded by the Honorable Mr. Chabot, and the Question being proposed, That the Bill be now read a second time;

And a Debate arising thereupon;

The Honorable Mr. Boulton moved, seconded by the Honorable Mr. Badgley, and the Question being put, That the Debate be adjourned until to-morrow;

The House divided:

Yeas, 20.

Nays, 22.

So it passed in the Negative.

And the Question being again proposed, That the Bill be now read a second time; And a Debate arising thereupon;⁷⁵

MR. SOL. GEN. DRUMMOND said, the subject of the present Bill is the reform of the Seigniorial Tenure in Lower Canada--an evil complained of for more than half a century, which applies to almost every lot of land throughout large tracts of country, which restrains progress and prevents settlements, and which it is the bounden duty of the legislature to remedy. These abuses, he continued, have arisen from a system unknown in England and Upper Canada, transplanted from France under the ancient regime, which has continued to exist in Lower Canada to the present moment. To understand the position of the owners of land en roture in Lower Canada, it is necessary to take a retrospect of the seigniorial law in France. The feudal system of France at the time of the election of the Superior Council in Canada--in fact long before New France was colonized--had lost almost all its most obnoxious features. It had had its origin in the middle ages, when the chief, successful in battle, divided among his followers the lands of conquered kingdoms. Those lands were held by vassals on the conditions imposed by his arbitrary will, which often became degrading alike to the vassal and the chief. In France indeed they were always more noxious than in England, because in the latter country, the crown

always exercised a control over the chiefs as the sovereign suzerains, to whom the chief must first take an oath of fealty, before he exacted the like oath from his vassal. In France this was reversed, for in that country the oath of the vassal to the Lord was held to be prior and superior to that of the Lord to the King. It was this state of things which made it the interest of the Kings of France to crush the proud nobles--to intervene between the seignior and the vassal, till in the end the rights of both became well defined by law.--Long before New France was granted to the company bearing that name, the time had passed away when the seignior could insolently put his golden spur into the bridal bed of his vassal, or when the Lord could call out his tenants in the dead of the night to beat a pond where the frogs disturbed his rest. Whatever evils therefore arose out of this law, it is not fair to reproach the people of Lower Canada with slavish submission to the law which prevailed at the time when feudality was in its most rampant condition.--When established in Lower Canada, this system had been crushed by the subtle genius of Richelieu, and ground to nothing by the iron hell of Louis XIV. As it transported into Canada, it was better adapted than perhaps any other system for the settlement of a new country, and it was regulated by special laws of the most beneficial kind, which gave every acre of wild land throughout the colony; for each settler could claim such an extent of soil as he might require, without paying a six-pence immediately to the Lord. It was thus the Lord held the land not for himself; but for all comers, upon the strict condition of settlement. It must here be recollected too, that the whole of this system was regulated by the laws of the Vicomte of Paris, where feudality had never exhibited its worst features, because the Vassals were immediately around the Throne and beneath its shelter, and because the Crown therefore protected and defended them from the encroachments of their seignior. There, therefore, the Lord exercised far less power, than in other customs such as that of Brittany. It was the feudal system then as modified by successive ordinances of the Crown, restrained by the coutume of Paris; modified and rendered more paternal by edicts, and decrees especially applicable to the colony, under which Lower Canada was to be governed; and I say that the results were, in the beginning, most beneficial. Indeed, if complete freedom had existed in other respects no country could have been settled more rapidly. In eighteen years after the conquest, for instance, it was found that the population had doubled, and from 65,000 souls had risen to 120,000; for it is not every where that all and every man can go and select a piece of land--to take his pitch as it is familiarly called in any country, and claim from the seignior a title, which the seignior could not refuse. I now come to the proposition, that the conditions under which this could be done were perfectly well defined--that there could be no doubt about them--that they are to be found established in the decrees of the Kings of France, consecrated by judgments of the Superior Court, and by opinions pronounced since the conquest for the purpose of directing Lord Dorchester's conduct on the matter of the land tenure; so that there is an unanimity and conclusiveness with respect to these conditions, which is perhaps to be found in very few branches of the law. The first condition of the tenure was that the seignior should concede not only à titre de redevance--for a small annual rent--but that he would make it his business to obtain settlers for his lands; and it was clearly understood, if not always especially stated in his titles, that if, after a certain time, he had not settled his seignior, it was to escheat to the Crown. It follows from this, that the seignior being bound to concede at an arbitrary rent. The one condition excludes the other. If you say he could charge any rent he pleased, you must say that he could keep his land. But the law is positive, and the right strictly and equitably fixed. If you go to the coutume you will find that in France there was a small cens stipulated merely as a recognition of the fact that the land was held of another; and that there were also certain rents regulated perhaps more by custom than by law. You will then find that Louis 14th, who made such great efforts to settle this colony--who devised

such admirable theories, which wanted only the men to carry them out--issued an arret from Marly, dated 6th June, 1711, in which speaking of the seigniories granted the persons who had made no efforts for their settlement, he provided that seigniors in Canada should be bound to concede their lands at the customary rates. These are the words:--

"His majesty ordains that in one year from the date of publication of the present arret the inhabitants of New France to whom His Majesty had accorded lands in seigniory, and who have not cleared their land nor established settlers, shall be held to put the said lands in a state of cultivation, and to establish settlers thereon, in default of which they will be reunited to His majesty's domains by the diligence of the Procureur General and Special council of Quebec, and according to the ordinances rendered by the Governor, Lieut. Governor, and Intendants of His Majesty in the said seigniors shall concede to the habitants the lands which they may demand in their seigniories for a quit rent, without requiring from them any sum of money by reason of the said concession, in default of which His Majesty permits the said habitants to demand the said lands by summons, and in case of refusal to proceed before the Governor, Lieut. Governor, and, Intendant of the country, whom he directs to the said habitants the lands asked for by the taker in the said seigniories, at the same rates as are imposed on other lands conceded in the said seigniories."

I will call the attention of gentlemen from Upper Canada anxious to make themselves masters of this subject, and without preconceived prejudices, to these words of the arret and I will tell them at the same time, that it proceeded from the only legislative authority of the day, all such authority being then created in the French King. If, then, this be not law, we are reduced to the proposition that there were at that time no laws in the country. We have then a clear provision that lands in Canada were to be granted at a rate certain--the customary rate. I know that some doubt has arisen as to the word "said" in this document, which by some is held to make the arret apply only to certain seigniors, while others think it applied to all, and that is my opinion; for the King has been speaking of all seigniors, and he here provides that all lands should be conceded at the customary rates. But whether this applies to some seigniors or to all, it makes no difference as to the conclusion, because it can be clearly shown that at any time no rent exceeded two sous the superficial acre. The difficulty has arisen from this circumstance, that the precise amount of rent has not been established in this decree, but there can be little doubt as to what that rent was. It may indeed be difficult to show what rent was demanded in single cases; but it is easy to be known that none exceeded a certain sum. The seignior, whatever his title, was bound to concede at a low annual rent to any who might demand it, and the decree went still farther and provided that when a seignior refused to concede land, he might be compelled by a court organized for that purpose, and consisting of the Governor and the Intendant. These officers were authorized to concede the land if the seignior had refused without just reason, and when they did so, they conceded not for the seignior, but for the Crown. The question must now naturally arise, how came this law not to be enforced? This is the answer. By the first judicature act of the country, after the conquest, it was provided that the King's Bench should be invested with all the attributes, which had formerly belonged to the Intendant; but the provisions of the act were to be executed by the Governor and the Intendant, who had concurrent jurisdiction--a species of legislative authority which could not be enforced by courts of justice. This at least was the opinion of those courts, though I think they were, perhaps wrong. They refused to exercise the concurrent power of the two offices, saying that they had been invested only with that which belonged to the Intendant. It is no doubt strange that the Legislature sitting for half a century has not remedied this want, and gentlemen from Upper Canada must be astonished to find such neglect in a country

possessed of representative institutions; but, Mr. Speaker, I need not tell you that great efforts have been made in the Assembly of Lower Canada to compel the courts to exercise the power in question. In 1824 a Committee was appointed to inquire into the abuses of the seigniorial system, and the causes which prevented settlement in Lower Canada.--You, Sir, were one of the active members in that Committee, and you reported a bill which was passed in the Lower House and threw [sic] out in the Upper. I have been unable to find any trace in the journals of the House which I possess of any other attempt of this kind; but I find on reference to the evidence of Mr. Neilson before the House of Commons that two such bills were passed and rejected; and the late Mr. Andrew Stewart speaking of this subject once declared that there was no hope that the powerful party who then controlled public affairs would ever consent to redress the grievances complained of. It is for this cause then that 100,000 acres of fertile lands ready for the plough have hitherto remained untilled; for, let gentlemen go into the wild lands of Lower Canada, and they will pass sometimes through five or six miles of unconceded forests and will then come upon some beautiful settlement made upon township territory. There is no means even of opening a road through the unconceded wastes, though the laws on our statute book required that the seignior should concede every acre, to whomsoever shall demand them; and I now ask you,--whatever may be wrong in other parts of the bill,--whether any time should be lost in giving their rights to the people of Lower Canada, of which they have been deprived by what amounts only to a quibble, though it has been doubtless the conscientious refusal of the courts to exercise the joint power of the Governor and Intendant? I here repeat that there was no more paternal system than that established by Louis XIV. Not only were the seigniors bound to concede lands on demand; but the Attorney-General was especially required to see that seigniors did not abuse the rights given them for the purpose of settling the country. Thus everything makes it evident that the seigniors did not hold for themselves; but that they were looked on by the law as trustees for the public. They had an inducement to settle the country, because settlement gave them rent; they had a farther interest, because they had the right to grind the corn grown upon the seignories and consumed for domestic purposes; but this they lost, if they failed to erect a mill within a year. The principal object of this bill is to restore this state of things with respect to the right of the people to obtain lands on easy terms, and with respect to mills, and it does so by conferring on the Superior Court the powers formerly exercised by the Intendant and Governor. If it be admitted that the seignior had the obligations I have described, it follows that there must be some tribunal to compel him to fulfil them. At the same time it becomes necessary to protect the seignior from the frauds which have taken place in more than one instance, and in laying down the conditions on which concessions should be made, the Committee who have reported this bill have been guided most strictly by the old ordinances and judgments. The first obligation on the censitaire who claims land, is to settle upon it; the next to exhibit his titles at each mutation; then to pay the mutation fine, which the seignior is at liberty to stipulate, beyond the annual rent, when the mutation is made by a contract bearing the character of a sale, for example, when the land is exchanged against another land, and an additional consideration given in money. These rights the seignior in future may stipulate as in the passed [sic], together with the right of banalité which no one has denied him, though it has been extended by many seigniors much too far. He may also stipulate the right of retrait, which I render by the term pre-emption, though this does not clearly indicate the meaning of the French. This right however, will be limited, inasmuch as it has hitherto been found very injurious to the dealings of the people of Lower Canada, calculated to impede the settlement of land, and to render more difficult the conveyance of property. It has also created a great deal of animosity against the seigniors, some of whom have availed themselves of it under circumstances, which the law never contemplated. By this right, the seignior, when he

hears of a favourable bargain on his seignior, may send for the purchaser and tell him--I should like to have the farm you have bought; come up to me, and I will pay you the purchase money and expenses, and will take it off your hands. I ask hon. gentlemen from Upper Canada how they would like to have a right of that sort exercised in their neighborhoods? I may mention further on this head, that this right is not one at common law; but that the law permits of its stipulation between the seignior and censitaire; but this is only intended to protect the seignior against fraud, and we propose in this bill to touch it only so far as may prevent the seignior from exercising it beyond the true intent of the law. There are seigniors who never exercise it; but some do so in a most injurious manner. I hear there are men among them, who will tell a purchaser--"Sir, I have a right to take this bargain off your hands. You gave £150 for it; it is worth £250, give me £50, and we will say no more about it." This perhaps is not done by one seignior in ten, perhaps not by one in fifty; but I ask if a system which permits it at all should be suffered to continue?--No longer than two months ago, a seignior who knew that several persons were anxious to obtain a certain farm which had recently been sold, sent for them to his office; and there sold his right to take the land. The bids began at £10 and went up to £50; thus the buyer did not get the land, nor did the seignior; but the latter sold his right to claim the bargain to the person who offered the most for it. I have said that I propose to leave the right only in case of frauds. Of course, therefore, I exclude it in cases of sales by the Sheriff, where no presumption of fraud can exist. This will make every purchaser sure of his bargain, as he ought to be, and to show the necessity of the change, I will mention one instance where the exercise of the right gave occasion to very great injustice. A gentleman lent £1200 to a person whose land was amply sufficient to cover that sum. This person consented to a sale, and the creditor who had lent the money went to the Sheriff's office, and seeing a few competitors, bid up the estate himself to £500. In all this he thought himself quite secure, and was not a little astonished to find, before he got the Sheriff's deed, a notice from the seignior that he intended to exercise the right of retrait. By this operation the lender lost seven hundred pounds. If, however, on the one hand, the law of France provided for the security of the inhabitants of the colony, on the other hand it protected the seignior against fraudulent tenants. Among other provisions, when a tenant took land without performing the duties upon it, the seignior might appeal to the Courts to reannex the farm to the seigniorial domain. It often happened that the seignior might have 40 or 50 farms, which had been abandoned, and as the law stood formerly, the seignior could call in all these persons by one action. Since the conquest, however, our forms of pleading have been so altered that he can only bring one at a time before the Court, and it will thus cost him £15 or £20 to reannex any one farm. One object of the bill is, therefore, to enable the seignior again to exercise this right of bringing in any number of censitaires under the same action. This I consider a great boon. With regard to the two objects I have described, I think there is not a man in this House who will not agree in the propriety of the bill; and let no man say that because all evils cannot be removed in the same bill, therefore, no bill should be passed. I am not one of those, who contend for all or none; for I believe that no great reform can be operated except it be done slowly, and I am willing to take this bill without any commutation. Indeed, I would not for any consideration vote for a system of commutation without submitting it to the people and having it discussed. The Committee have given the present bill the most mature consideration; but they have said that with regard to commutation they have not yet determined on one, but that they hope to do so before the end of the session. I do not mean to say the bill is perfect--no human legislation is so; nor that it cannot be evaded; all laws have been; but I do mean to say that it contains all the good which was in the two bills of the House of Assembly in Lower Canada, and something in addition. Another important branch of the bill relates to the

rights of seigniors over water powers; but before entering upon it, I must speak of the rights of the seigniors in France to the property of the streams flowing through their seigniories. Originally no seignior could claim any such property; but in France justice was administered by seigniors in their seigniories divided into three descriptions of jurisdiction--the haute, the basse and the moyenne. The first was both civil and criminal, the second civil, and the moyenne a mixture of both. One of the attributes of the high justicier was the regulation of all waters not being navigable. He had the same rights over these that the king possessed in navigable rivers; but from this mere right of police they gradually usurped the right of property. Some of the best feudists indeed, thought the seigniors had never possessed property in the streams; but others conceived they had this property even in the alluvium, or bed of the river, which they said was given to pay the expenses of holding the courts of justice. Troplong was one of these; but it is remarkable that he has solved the question exactly in the sense I understand it, by putting a case, exactly equivalent to the one which arises here. It was not in their quality of seignior, reasoned Troplong but in that of High Justicier, that the seigniors claimed this right, and when the revolution swept their jurisdiction away from France nothing was done in the way of legislation with regard to the streams. Thus seigniors, who were High Justiciers remained after losing their rights of justice, just in the same position as in Canada, after the conquest of the country by the arms of England when justice ascended to its source, and became vested in the Crown, as in France it became vested in the Republic. The seigniors ceased to exercise justice, and being no longer burdened with the expense of courts, the rights given them in compensation were taken away also. (Mr. Drummond here read a quotation of some length to show the correctness of the dictum he had imputed to Troplong.) He continued:--There can be no quotation more striking than this; and leaving that point I will proceed to another part of the bill having reference to honorary rights. These are not of great importance, and perhaps gentlemen from Upper Canada may think it extraordinary that any weight should be imputed to them. I find that in France they were only given to two classes; the patrons of the Churches, and the seigniors High Justiciers, in the latter case as a recognition of the power which resided in them. Other seigniors claimed them; but there is no writer of weight, who says they were to be attributed to others, and in fact when they were claimed or enjoyed by others it was that of having a bench at Church in a distinguished position at the head of the nave and the right of the altar. Another was to walk at the head of processions, and another to receive first the blessed rite, and the holy water; I say these rights are of no importance and believe few seigniors care to claim them, but yet they had been of importance in one point of view--on account of the heartburnings and dissensions they have sometimes occasioned. In France one man was engaged five years in litigation and obtained five judgments before he could compel the Priest of his parish to give him holy water before his neighbours. Such a circumstance belonged to a state of things so different from ours, that I think the legislature ought to put a stop to the law which permitted it, even if it gave the seigniors a right; but I maintain that they have none, all authors agreeing that the high bench in the Church could belong only to the High Justicier and the Patron. I have shown that the seigniors since the conquest can have no property in the streams; but there is one right they have--that of requiring the censitaire to carry his corn and to grind it at the banal mill. As a consequence the seignior is entitled to take any water power he required for his mills--to choose the best place for them; and this right is preserved to him by the bill. He may choose the best site or may choose more than one if more are required in his seignior. This right has been recognized by the law and I have brought it to its original condition by depriving the seignior of it unless he builds his mills within two years. There is, however, one exception, in favour of a seignior, whose seignior is not settled, and one year is given after one hundred censitaires are

on the seignior to build a mill, after which, if it is not erected, the right will cease. We have in this conformed strictly to the law. Indeed, we should not depart from the edicts and ordinances, if we determined that seigniors who have not built mills shall be deprived of their right at once: many judgments have been rendered in that sense. I have already spoken of the right of retrait; but there is another right exercised too often to the injury of the creditor--I mean that of allowing his claims to lay in abeyance for years, till they ran to a large amount and then coming in with an opposition to sweep off everything. It is well known that the longer the seignior is without collecting his dues the worse for the censitaires. I propose to make no alteration for the past; but in future to limit the time within which this privilege can be exercised to a period of five years. That I think is an arrangement to which no well founded opposition can be made. But I come now to that clause of the bill to which there is the greatest objection, and if it could have [been] excluded from the bill I believe I should have come before the House fortified by the opinion and aid of my colleagues.--I refer to that part which declares that for the future no seignior shall receive more than four sous per arpent. Against this clause there are some serious objections made; but I maintain that if you consider the arret of 1711 as binding at all, you must not shrink from its application. No length of time can consecrate speculations made in violation of the law. Those who contend for the reverse of my propositions should show that the law has been modified or that it has even been called in question; but no person will rise in this House and say it is not in force, and I agree with my hon. friend from Montreal, who said a few nights ago, that unless you consider the arret of 1711 as law, you may as well burn the whole book of édits and ordonances. Supposing that the facts were correctly stated--that the increase in the rents beyond the ancient rates has been consecrated by a long course of time by the neglect of the Government, and by the decisions of the courts--all this may be urged by the seigniors as reasons why we should persist in making the censitaires pay sums unauthorized by the law? If the seignior be entitled to indemnity, let him show me upon what ground--by what inducement he has been led into error; but in the meantime it is the duty of the Legislature to prevent the censitaire from being defrauded? It may be that no fraud has been committed on the part of the seigniors--I am aware that many have exacted rents on titles handed down from their ancestors or vendors, and that they are acting in good faith; but I contend nevertheless, that the Legislature will be in bad faith, if, seeing those persons are acting contrary to law, it does not put a stop to it. But those who object to this part of the law, will no doubt fall back on the difficulty I suggested at the beginning--that there is no rate of rent specified in the arret of 1711. I think, however, there is most conclusive authority to be found in the judgment rendered by Dupins in the case of the seignior of Bellechasse. At the time the judgment was rendered they had some debentures in the country which had not met with the same good luck as our own, and were speedily depreciated. The King of France then thought it necessary to compel the seigniors to take this money for their dues. They remonstrated, and it was in answer to this remonstrance that the edict was issued six years after the arret of Marley. This is the statement given by the seignior himself--

EXTRACT from an ordonnance of Intendant Deprey, of the 5th of July, 1717, (only six years after the Arret).

"There is scarcely any land granted at more than one sol per superficial arpent and a denier of cens, and there is on the contrary, a very great number granted for only six deniers (6-12) the arpent, notwithstanding they are covered with fine forest wood, the cutting of which is the first advantage derived by the grantees in a country where fire-wood is sold at a considerable price the cord, independently of square lumber for shipping and building, which is now the principal produce of the country, and which they obtain for nothing, so that it would be neither just nor

natural to reduce by one-fourth, as they claim, a rent so moderate, which is given rather in recognitionem domini, and as an admission of direct seigniorial authority, than to constitute a revenue of any importance to the seignior, who on his part, is liable to much heavier obligations than his tenant, since he is under pain of having his land re-united to the King's domain,--he is bound to construct and keep in repair, a grist-mill, for the convenience of the inhabitants of his seignior, and is moreover bound to contribute to the building and repairs of a Church, the maintenance of roads, the payment of salaries of judges and other officers, and other obligations imposed on him--so that on reflecting on all the charges and obligations devolving upon the seignior, the proposition now made to reduce by one-fourth the seigniorial rents, can only be looked upon as ridiculous, since none exceed one sol the arpent, and a great number only reach six deniers--there would be no other course left after going to such an extreme, than to grant lands for nothing, which was never the intention of the King."

Here is most positive testimony, and if we read through the édits and ordonances, we shall find that the rates which generally prevailed were one sou of cens per arpent in front, one sou per superficial arpent, and one capon valued at 1s 8d. In another place I have made a calculation of the amount mentioned in the judgment, and I find it comes to 6s 5d for ninety acres. In the district of Montreal they were perhaps a trifle higher, amounting to 7s 6d for ninety acres. Here is a judgment rendered in 1738, declaring that lands shall not be conceded at higher rates than those I have mentioned. It directs that certain persons "shall receive concession deeds from Dlle. Peuvret, of the lands conceded to them, being thirty arpents in depth and commencing in front at the end of the thirty arpents from the line terminating the said Cote de Champigny, at the cens et rentes established by His Majesty, to wit, one sol of cens for each arpent in front and one sol of rente for each superficial arpent, and a capon or twenty sols at the choice of the said Dlle. Peuvret for each arpent in front." I will not, however, go through all the authorities to show that the rent, whether in grain or in money, did not exceed two sous per arpent. If we come down to the time of the conquest we find that Lord Dorchester inquired into the propriety of altering the tenure, and there was a remarkable feature in that affair, which was this--that the majority of the councillors of Lord Dorchester were Canadian Seigniors, who, one might suppose, would have had some predilection they possessed for their laws, they seemed to have had a greater for their own interests. They voted for an immediate commutation, the effect of which would have been, they they would have ceased to be trustees, and would have become absolute proprietors of the soil. The only persons who voted against the plan were two generous Englishmen, Messrs. McBean and Solicitor General Williams. The reasons given by the latter are very remarkable, he says:--

EXTRACT from the Resolutions of Lord Dorchester's Council, adopted 25th August, 1790.

That the Royal Patents or concessions of land were made either en seigniorial or en roture; the grants en roture consisted in town lots, and small farms; and the grants in the seigniors were made in large lots of different dimensions, many of which at a few leagues from the rivers and yet in a state of nature.

That the domanial revenues of the King of France were from the grants or mutations fines, being the fifth part of the price which the purchaser had to pay for the lands held en seigneurie. That the lods et ventes amounted to the twelfth part of the price of lands held en roture and these lands were also subject to the cens et rentes the cens being of one sol or one half-penny English, for an arpent of 180 feet in front, and the rent being another sou for each arpent of the concessions, with a bushel of wheat for every forty arpents, and two fat capons of the value of 20 sols each.

EXTRACT from Mr. Solicitor General Williams, against the foregoing Resolutions.

Because the changes proposed by these resolutions, or any other change of tenure, tending to give the seignior absolute and unconditional possession of his fief,

would not only involve a sacrifice of the rights of the King, but would counteract the wise intentions and the advantageous effects of the arrets of 1711 and 1792, and of the declarations of 1793, under which the seignior is obliged to grant concessions to all who may wish to settle upon the land, subject only to the rents and rights accustomed, and agreed upon,--and upon his refusal, the Governor is authorized in the name of, and for the profit of the Crown, to concede the lands sought for, to the exclusion of the seignior forever.

EXTRACT from the answer given by Solicitor General Williams, to the 4th question proposed by Lord Dorchester's Council, viz:--

What were the burthens placed upon the grantee, &c.

By the term en roture, he who conceded to the King directly, or his interposed grantee, stipulated for the payment of a specific sum (of a half-penny for each arpent in front, by 40 feet in depth,) payable by the grantee en roture each year, upon a day fixed, and at the seigniorial manor, which sum was denominated rente.

It is therefore clear, that at the time Williams wrote, there was no doubt as to the maximum of rent; and his opinion agrees word for word, figure for figure with what I have read before. In towns there appears to have been a somewhat higher seigniorial rent, but was stipulated at each mutation. To come still nearer our own times, do we find anything when Mr. Nelson went before the House of Commons to do away with the effect of these things? No. Mr. Nelson expressly affirmed them. It would be unnecessary to say more on this point, except as to the allegations that there were several judgments of the courts sustaining seigniors in their exaction of higher rents than the old ones. There are seigniors stipulating rents of 6s. 7d., and 8d.--few I admit; but can any in good faith stipulate rents so far in advance of the law? I say no, I say that the judgments are not such as can establish a jurisprudence; but suppose they were, still I ask if this Legislature can allow Courts to make Laws directly opposed to the true law? Ought it not to interfere, and to say to these Courts, thus far shall you go. Judge-made-law is always dangerous, for though judges are allowed to make laws to a certain extent, when there is no law, they could not be allowed to say the law is one thing; but we will make it the reverse. I maintain, however, that no such judgments have been given by the courts of last resort, and that courts of original jurisdiction have not sufficient authority to fix a jurisprudence. Indeed, I may go farther, and say that I do not find even these decisions uniformly on one side. In the report of the Commissioners in 1841, there is a case (McCallum vs Gray) where a difficulty arose with reference to a person who had taken possession of a lot of land, and who probably came forward and offered to pay the dues, when the seignior attempted to throw him out; but the Court held he had a right to go upon the land, not only by the agreement of the elder McCallum; but also by reason of the obligations of the seignior to concede to all comers. In framing this enactment then, and putting 2d. as the rate per arpent, we have taken a most liberal view of the rights of the seigniors--some may say indeed that we have gone too far, and that if the seignior has no right to demand more than two sous, we have no right to give him four. But we thought that, in the altered state of the country this change was called for, especially as the seignior might stipulate the rent in grain, and as it has thence happened that he who did so stipulate his rent receives what amounts to four sous, because wheat then worth 1s 8d was worth 5s. We thus were willing to place the man who had a money rent on the same footing as he who had a wheat rent, and this was considered by the Commissioners of 1841 as an equitable arrangement. It is a favourable arrangement for the seigniors and one they sought not to object to. I do not think they should make use of the word spoliation in the matter: so far from its being appropriate, we have stretched the interpretation of the law. I trust, however, that no observations of the kind will be made on the bill introduced by a Committee, in which were many seigniors presided over by a seignior, myself, who, with the disposition to injure myself, am constrained to say that no better compromise can be

made than that effected by the bill. The other judgments rendered on this subject do not seem to have been pronounced directly in this question, and from the two or three mentioned in the report of the Commissioners of 1841, it would appear that though the question was raised directly by the pleadings, there was nothing to show that the judges took it into consideration. We should rather infer that they tried to evade a decision on the question, as there is no reference to that portion of the pleadings. The difficulty may have been got over in other ways; for the censitaire may have complained of a too heavy rent; but on a farm which had come to him from the hands of the seignior, who had purchased it, as I am aware was the fact in the case I mentioned a moment ago.--It may be asked again why no attempts have been made, since 1824, to get rid of the system. An attempt was made to change the tenure but a most unfortunate one--not by settlers but by the proprietors of large tracts of waste lands in unconceded seigniories--not made on the floor of this House; but in the British Legislature. It had doubtless a beneficent intention; for the intention of the British Legislature was manifestly to benefit the censitaire by enabling him, as well as the seignior, to release himself from feudal burdens; but such was not the result of the law. After declaring that the object was only to enable the seignior to commute with the view of enabling the censitaire to commute also, it declared that being commuted, the land became held of free and common soccage, and this enabled the seignior to do what he pleased with it. I think this law should be repealed. Few seigniors have taken advantage of it; but one has done so, and what has been the consequence? Instead of the fertile lands there situated, being conceded for 10s. the farm, the settlers have been obligated to pay from \$5 to \$12 per farm. This was never the intention of the Legislature, and though much mischief has been done, large tracts of unconceded land still remain; so that it is necessary for us to demand the repeal of the law, and the more so since the principle of local legislation has been conceded to us. This is necessary too, to be done immediately; for I tell you that so soon as this bill shall be assented to, all seigniors with unconceded lands, will apply for commutation under this Act. We should, therefore, move immediately for the repeal of a law which has so despoiled the people of this colony--talk of spoliation indeed!--this act has swept away from the people of Canada millions of pounds worth of lands which they were entitled to possess. Had the Legislature of England been aware of these facts, they would not, I am sure, have consented to the passing of this act. I have now only to conclude by thanking you for the great kindness with which you have listened to statements which were necessarily long, and from their nature must have been tedious.⁷⁶

COL. GUGY, after some preliminary observations, went on to remark that he would assume hon. members were now able, from what had gone before, to understand the points he should make.⁷⁷ [He] agreed with hon. Sol. Gen. East in the favourable picture which he had drawn of the French system as compared with the English system, in regard to the tenure of land. In the English system, as seen in Western Canada, the land holder had absolute power of his land⁷⁸ [and] could demand whatever he pleased.⁷⁹ Under the French system, he stood in the light of a trustee, bound to concede unoccupied land at⁸⁰ the slightest possible rent. In that, he differed with the Solicitor General.⁸¹ The latter was the system best adapted to the requirements of a new country.⁸² But the fact being, that the Seignior was bound to concede, his affirmative proposition was that no statute could be found fixing any precise rate of rent. He knew that men who read acts of Parliament,⁸³ [or] statistics⁸⁴ as young ladies read novels, might find it in acts; but it was not there⁸⁵ [and] he was prepared to substantiate the assertion he had made.⁸⁶ His next proposition was, that there being no price the Seignior might obtain any rent that he reasonably could⁸⁷ though it was incumbent on the proprietor of land to concede to the censitaire, the amount was left to be averaged between the Censitaire and the

Seignior. If then, the landlord and the tenant had mutually agreed upon a certain rent, who had a right to interfere? He had never heard of a rent exceeding three-pence per acre; but if it were a shilling he should still contend that this House had no abstract right to interfere. (Ironical cheers.) The House, he repeated, had no moral right to interfere.⁸⁸ He distinguished then between the obligation to concede, and the necessity of that concession taking place at a certain price. All questions of this kind, however, arose out of the construction of titles, and the house was now called upon to defeat titles to land to the extent of a million of acres. Rebus integris, he would say, let the Censitaire demand land of the Seignior at any price he liked, and let him, if not pleased, apply to the courts; but the house had now to deal with contracts, which it had no right to deal with. He said it had no right to deal with them; but he acknowledged that they⁸⁹ had the power ... but it was the power of the highwayman or the pickpocket. (Renewed cries of "hear" and laughter.) He did not say that the power would ever be proclaimed by hon. members, for though many were favourable to the exercise of such a power in this case, no man was so immoral as to avow that he was moved by an impulse of that kind.⁹⁰ There were, of course, no men in the house with such principles; but he would mention to the Speaker, that there were men not a thousand miles from him, who were actuated by such feelings⁹¹ who were prepared to carry out this measure of spoliation, but it would be unparliamentary to mention names. He was consoled with the reflection that however some hon. members might vote, the country was not so far demoralized as to call for, or to sanction such a development of Agrarian and Socialist principles. He hoped, indeed, and he believed, that a bill containing such principles would never pass; for it involved the confiscation of the property of honest men and women, who in regard to numbers were a very small minority compared to the Censitaires.⁹² He proceeded to say that many Seigniories had not descended in the line of the family; but had been purchased--⁹³ Were persons who had their whole fortunes invested as Seigniors to be deprived of their property and their rights at the mere bidding of demagogues? He, for instance, had about £15,000 invested as a Seignior--he had purchased his Seignior, with certain duties and privileges;⁹⁴ [or] for an example ... Major Campbell Rouville, ... had invested £15,000 in this manner. In these cases, the purchaser had generally examined the contracts in many cases a century and a half old, and finding every thing right--finding that these contracts had been uniformly sustained by the courts, he paid his money.⁹⁵ Was it right that he should be despoiled--robbed--perhaps ruined, to gratify the wishes and principles of Agrarians and Socialists? (Renewed ironical cheers.)⁹⁶ In England lately, some anarchist addressed Lord John Russell, and advised him to take no step which might deprive his chief of Woburn Abbey. Was it because Woburn Abbey or any other property came somewhat irregularly into the hands of a family that the Parliament of England was now to right the wrong? At the hustings it was true that Censitaires were a thousand or two thousand to one seignior, all with votes equally good as his, but of course he knew that there was not one of them who would not have signed the self-denying ordinance. It was an article of faith with him that they thought nothing of the next elections, though that might well happen in a less moral country.⁹⁷ Hon. members belonging to Upper Canada should remember that if the Seigniors of Lower Canada were to be deprived of their property the owners of real property, in Upper Canada would inevitably share the same fate. While he (Mr. Gagy) was entering the House a few minutes ago, a⁹⁸ gentleman, ... one of many tenants dissatisfied with their landlord⁹⁹ said to him, "If this bill pass, the tenantry of this city will pay for an act authorizing us to inhabit houses as long as we please, without paying any rent"--(Laughter.) He believed there was but six Seigniors in the House, while there were 78 against them, and it was therefore apparent that the Seigniors could only be saved from this measure by the intervention of Upper Canada members.¹⁰⁰ Commutation was not popular in Lower Canada, but confiscation was, or at least a little of it, just enough

to put in the edge of the wedge; and it would be put in if the members from Upper Canada were not true to their trust.¹⁰¹ The committee to whom this subject had been referred, had disregarded the actual importance of the case, and had reported a measure, which was of a retrospective character--which interfered with thousands of contracts, and would arbitrarily fix the rates of commutation without reference to the rights of the Seigniors. It was now proposed to deprive the Seigniors of two-thirds or three-fifths of their property, with a settled determination to take away the remainder next year, or as soon as might be compatible with the forms of law.¹⁰² This country was settled by the compagnie de la Nouvelle France, 150 years ago, who brought out emigrants, made roads, &c., and granted concessions on certain conditions, and these were the law [*sic*], the Solicitor General to the contrary, notwithstanding whose sentiments, he (Mr. G.) was surprised to hear. (The hon. member did not state the conditions above alluded to.) He asked for indemnity not robbery. For what you take away, give an equivalent. But he protested against this attempt to define rights by means of robbery.¹⁰³ Granting that there had been harshness in some cases between Seigniors and Censitaires, was that to be a pretence for spoliating the whole class of Seigniors? Supposing some censitaires dealt cruelly with debtors, that would form no ground for annulling all debts, and that would be quite as justifiable a policy as that which it was proposed to pursue towards the Seigniors. The argument was a non sequitur. If the House were resolved to pursue the course now proposed, and to strip Seigniors of an immense amount of income and property, he contended that they ought to be indemnified to the fullest extent. It was allowance of everything like indemnity that rendered this measure particularly obnoxious; for without indemnity all arbitrary commutation was unmitigated robbery.¹⁰⁴ He would have agreed to a mutation fine of 1-5th to be paid by instalments as might be convenient, as an equivalent for commutation.¹⁰⁵ He had prepared a measure with the view of effecting this object, and would introduce it to the House, although with faint hopes of its success. Whatever the effects might be, it would signify the terms on which he and his fellow Seigniors were prepared to submit to commutation; he cared not whether the indemnity extended over 6, 10 or 20 years. What the Seignior desired was peace. They desired to prevent anarchy and confusion, and to be restored to the relation in which they stood towards tenants before the commencement of this unfortunate legislation,--on agitation brought about by men who desired to obtain seats in this House, and to effect this object were prepared to sacrifice their neighbors' fortunes and their country's peace.¹⁰⁶ He went on to diverge at some length into an attack on the agitators of Lower Canada, and Mr. Drummond for his speech.¹⁰⁷ The hon. member entered into a review of the origin of Seigniors, pointing out that in most instances, they received grants not at the will of despots, but as rewards of military services. The seignior he held originated in this way: and he produced and¹⁰⁸ read the title of "a seignior, dated at Quebec, 24th Oct., 1708, to Francois Dumontier." This was a seignior given for military service to be conceded at the usual rates of rent and accustomed dues.¹⁰⁹ The rights he possessed, were, first, a rent in money; then the property in navigable rivers; again, the building of grist mills, and of compelling the censitaires to bring their wheat to grind there; and then the mutation fine. These were rights specifically set forth in the coutume of Paris, and there was no principle of equity which could be brought to bear to justify the deprivation of these rights.¹¹⁰ That title he (Mr. G.) held, and his ancestors, and he had granted concessions at low rates of rent, but if they had not been granted at these low rates, they had the right to concede. They never forced any concessions. They made a contract, and had the right to do so. Would anybody stand up and say they had not that right?¹¹¹ With regard to the honorary rights he cheerfully surrendered them. The Courts of Judicature had decided that to these Protestants could make no claim, and he thought the decision was a wise one; but this did not affect the validity of the other more substantial rights.¹¹² They conceded by contract,

and not by seigniorial law; and these contracts had been confirmed by the courts of law. He asked if any man would stand up and say there was one word in the custom of Paris, relative to the quantum of remuneration? If any man would point at that word he would give up the question. The accustomed dues and rents referred to in the title that he had read, were those of the custom of Paris. He came to the arrêt of 1711, which he said was the stalking horse of all the confiscators. He admitted the right to concede, but he denied that any rate was fixed. He read from the arrêt to the effect that the King determined to put an end to selling by forcing concessions, and prayed gentlemen to bear that in mind.¹¹³ He challenged hon. members to point to a single word which could justify the conclusion that there was any limitation to the quantum of rent to be paid by the Censitaire.¹¹⁴

MR. H. BOULTON asked what was the difference between asking a high rate of rent, and refusing to concede.¹¹⁵

COL. GUGY read from the arrêt, and stated that no quantum was fixed.¹¹⁶

MR. WILSON said, suppose the seignior asked a very high rate, so high to prevent the Censitaire from being able to pay must he not obtain a concession to go to the judge to force the seignior to concede at some limited rate of rent. (Hear, hear.)¹¹⁷

COL. GUGY said that that was not a logical conclusion. But he complained the law was intended to be retrospective; and, against that he protested. The censitaire did not complain when he took up¹¹⁸ voluntarily¹¹⁹ the contract for the concession¹²⁰ that the rents were too high; and on what pretence could the legislation interfere, to annul contracts voluntarily entered into by both parties.¹²¹ The King of France had never in any titles which he gave to seigniors fixed the rate of rent, because he clearly declared that to be unnecessary. These might be difficult in different circumstances, and¹²² in Lower Canada, as in all new countries, the value of labour was relatively much higher than the value of land and¹²³ the owner of land was generally at the mercy of the labourer.¹²⁴ It was therefore unnecessary to protect the censitaire, the holder of land, against the Seignior, the owner of land.¹²⁵ The seignior knew the value of his lands, and that of the stout arm of the censitaire.¹²⁶ Circumstances nationally unified this relationship, but this fact afforded no ground for legislative interposition.¹²⁷ With regard to some seigniors who have sold lands--he contended that it was illogical on the part of the Solicitor General, to argue from particular cases to generals.¹²⁸ Now as then, the quantum of rent was left to be determined by the common consent of the two parties. The hon. gentleman complained that the Solicitor General East in some of his questions, had disregarded the context, and he (Mr. Guky) went on to read passages in extenso in support of the views he had advanced.¹²⁹ In reply to the Solicitor General, he referred to the report of Mr. Stuart, and said he was willing to give the hon. member the benefit of all that he had quoted; but, he complained that the hon. member had only partially quoted. There were various authorities in that report, and he supposed in this case he might avail himself of the majority. He showed the result of partial quotations by citing from scripture, "there is no God," for the "fool hath said, &c." and "Noah took unto himself a wife," then turning over the leaf he read, who was "pitched within and without." He read some passages from the report. He went on contending that a contract shewn him between A. B. and C. should be held to be good, and the relation of the seignior to the censitaire of this instance, was of the same character.¹³⁰ He was proceeding to repeat his conviction that if he showed--as he had shown--that a contract exists, some authority must be shown before that contract could be legally or constitutionally set aside; when¹³¹--

MR. H. BOULTON moved the adjournment of the debate.¹³²

On the division, the motion was negatived by 22 to 20.¹³³

COL. GUGY [then] went on in a desultory manner until nearly one o'clock in the morning, when the debate was postponed, as Mr. Gagy said he had some hours to speak.¹³⁴

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Mr. Cauchon moved, seconded by Mr. Scott of Two Mountains, and the Question being put, That the Debate be adjourned until to-morrow, and be then the first Order of the day; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Dumas, Fortier, Fournier, Fourquin, Guillet, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Mackenzie, Malloch, McConnell, Méthot, Mongenais, Price, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Seymour, and Viger.--(32.)

NAYS.

Messieurs Letellier, Solicitor General Macdonald, and Richards.--(3.)

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So it was resolved in the Affirmative.

On motion of Mr. Cauchon, seconded by Mr. Duchesnay,

Adjournment.

Ordered, That when this House doth adjourn, it will adjourn until to-morrow, at ten o'clock in the forenoon.

Orders deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Laurin, seconded by Mr. Mongenais,
The House adjourned.

[NOTICE OF ADDRESS RE: CHURCHES.]

MR. BADGLEY [gave notice of a motion for an Address:] Adresse à Son Excellence le gouverneur-général, en vertu des dispositions de la quarante-deuxième section de l'acte impérial pour la réunion des provinces du Haut et du Bas-Canada, spécifiant que deux certains bills passés par cette chambre durant la présente session, et intitulés, l'un "Acte pour régler l'administration des biens temporels de l'église unie d'Angleterre et d'Irlande, dans le diocèse de Montréal, et pour d'autres fins y mentionnées," et l'autre "Acte pour pourvoir à l'établissement d'une société de l'Eglise unie d'Angleterre et d'Irlande, dans chaque diocèse de cette église dans le Bas-Canada, et pour d'autres fins relatives à la subdivision récente du diocèse de Québec," contiennent des dispositions relatives à quelque'une des fins spécialement désignées dans la dite section, et demandant respectueusement que les dits bills soient transmis sans délai en Angleterre pour être mis devant le parlement avant la signification de la sanction donnée par Sa Majesté à ces bills.¹³⁵

FOOTNOTES: 18 AUGUST 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 19 August 1851, GLOBE, 21 August 1851, NORTH AMERICAN, 22 August 1851, MONTREAL GAZETTE, 22 August 1851, PILOT, 23 August 1851.
2. BRITISH COLONIST, 19 August 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. BRITISH COLONIST, 19 August 1851, MONTREAL GAZETTE, 22 August 1851, and NORTH AMERICAN, 22 August 1851, noted the debate on this matter in identical accounts, reporting incorrectly the number of members who voted for the bill. EXAMINER, 20 August 1851, and GLOBE, 21 August 1851, reported that Mr. Cameron moved that the bill be referred to committee of the whole on "Wednesday" next. BRITISH COLONIST, 19 August 1851, MONTREAL GAZETTE, 22 August 1851, and NORTH AMERICAN, 22 August 1851, reported that Mr. Cameron moved that the bill be referred to committee of the whole "to-morrow". EXAMINER, 20 August 1851, reported the debate and noted in error that, on division, the votes were recorded as 31 in favour of the motion, and 21 against.
8. GLOBE, 21 August 1851.
9. EXAMINER, 20 August 1851.
10. GLOBE, 21 August 1851.
11. EXAMINER, 20 August 1851.
12. IBID.
13. IBID.
14. GLOBE, 21 August 1851.
15. IBID.
16. EXAMINER, 20 August 1851.
17. The debate on this matter was reported by: EXAMINER, 20 August 1851; and GLOBE, 21 August 1851. The following papers noted the debate in identical accounts: BRITISH COLONIST, 19 August 1851, HAMILTON SPECTATOR, 20 August 1851, MONTREAL GAZETTE, 22 August 1851, and NORTH AMERICAN, 22 August 1851.
18. EXAMINER, 20 August 1851.
19. GLOBE, 21 August 1851.
20. IBID.
21. IBID.
22. IBID.
23. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 19 August 1851, HAMILTON SPECTATOR, 20 August 1851, NORTH AMERICAN, 22 August 1851, and MONTREAL GAZETTE, 22 August 1851. The debate was also reported by: EXAMINER, 20 August 1851; and GLOBE, 21 August 1851.
24. GLOBE, 21 August 1851.
25. BRITISH COLONIST, 19 August 1851.
26. GLOBE, 21 August 1851.
27. BRITISH COLONIST, 19 August 1851.
28. GLOBE, 21 August 1851.
29. EXAMINER, 20 August 1851.
30. GLOBE, 21 August 1851.
31. BRITISH COLONIST, 19 August 1851.
32. GLOBE, 21 August 1851.
33. EXAMINER, 20 August 1851.
34. IBID.
35. IBID.

36. GLOBE, 21 August 1851.
37. EXAMINER, 20 August 1851.
38. GLOBE, 21 August 1851.
39. IBID.
40. EXAMINER, 20 August 1851.
41. GLOBE, 21 August 1851.
42. EXAMINER, 20 August 1851.
43. GLOBE, 21 August 1851.
44. The following papers reported the debate on this matter in identical accounts: PILOT, 21 August 1851, and LA MINERVE, 21 August 1851. The following papers reported the debate in partially identical accounts: BRITISH COLONIST, 19 August 1851, HAMILTON SPECTATOR, 20 August 1851, NORTH AMERICAN, 22 August 1851, MONTREAL GAZETTE, 22, 23 August 1851, PILOT, 23 August 1851, and BATHURST COURIER, 29 August 1851. The debate was also reported by: MONTREAL GAZETTE, 20, 23 August 1851; and JOURNAL DE QUEBEC, 26 August 1851.
45. MONTREAL GAZETTE, 23 August 1851.
46. BRITISH COLONIST, 19 August 1851.
47. IBID.
48. IBID.
49. IBID.
50. GLOBE, 21 August 1851.
51. BRITISH COLONIST, 19 August 1851.
52. GLOBE, 21 August 1851.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. IBID.
70. IBID.
71. MONTREAL GAZETTE, 22 August 1851.
72. GLOBE, 21 August 1851.
73. MONTREAL GAZETTE, 22 August 1851.
74. GLOBE, 21 August 1851.
75. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 21 August 1851, NORTH AMERICAN, 29 August 1851, HAMILTON SPECTATOR, 23 August 1851; BRITISH COLONIST, 22 August 1851, MONTREAL GAZETTE, 23, 25 August 1851, HAMILTON SPECTATOR, 23 August 1851, PILOT, 26 August 1851, MORNING CHRONICLE, 28 August 1851, LA MINERVE, 23, 26 August 1851, and JOURNAL DE QUEBEC, 28, 30 August 1851. The debate was also reported by EXAMINER, 20 August 1851. The following papers noted the debate: MONTREAL GAZETTE, 20 August 1851; and JOURNAL DE QUEBEC, 19 August 1851. Commentaries appeared in: MONTREAL GAZETTE, 23 August 1851; and PILOT, 23 August 1851, which reported

that Mr. Drummond's speech was "admitted to have been the most able of the session."

76. BRITISH COLONIST, 22 August 1851.
77. IBID.
78. GLOBE, 21 August 1851.
79. BRITISH COLONIST, 22 August 1851.
80. GLOBE, 21 August 1851.
81. BRITISH COLONIST, 22 August 1851.
82. GLOBE, 21 August 1851.
83. BRITISH COLONIST, 22 August 1851.
84. GLOBE, 21 August 1851.
85. BRITISH COLONIST, 22 August 1851.
86. GLOBE, 21 August 1851.
87. BRITISH COLONIST, 22 August 1851.
88. GLOBE, 21 August 1851.
89. BRITISH COLONIST, 22 August 1851.
90. GLOBE, 21 August 1851.
91. BRITISH COLONIST, 22 August 1851.
92. GLOBE, 21 August 1851.
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99. BRITISH COLONIST, 22 August 1851.
100. GLOBE, 21 August 1851.
101. BRITISH COLONIST, 22 August 1851.
102. GLOBE, 21 August 1851.
103. BRITISH COLONIST, 22 August 1851.
104. GLOBE, 21 August 1851.
105. BRITISH COLONIST, 22 August 1851.
106. GLOBE, 21 August 1851.
107. BRITISH COLONIST, 22 August 1851.
108. GLOBE, 21 August 1851.
109. BRITISH COLONIST, 22 August 1851.
110. GLOBE, 21 August 1851.
111. BRITISH COLONIST, 22 August 1851.
112. GLOBE, 12 August 1851.
113. BRITISH COLONIST, 22 August 1851.
114. GLOBE, 21 August 1851.
115. BRITISH COLONIST, 22 August 1851.
116. IBID.
117. IBID.
118. IBID.
119. IBID.
120. IBID.
121. GLOBE, 21 August 1851.
122. BRITISH COLONIST, 22 August 1851.
123. GLOBE, 21 August 1851.
124. BRITISH COLONIST, 22 August 1851.
125. GLOBE, 21 August 1851.
126. BRITISH COLONIST, 22 August 1851.
127. GLOBE, 21 August 1851.
128. BRITISH COLONIST, 22 August 1851.

- 129. GLOBE, 21 August 1851.
- 130. BRITISH COLONIST, 22 August 1851.
- 131. GLOBE, 21 August 1851.
- 132. IBID.
- 133. IBID.
- 134. BRITISH COLONIST, 22 August 1851.
- 135. JOURNAL DE QUEBEC, 26 August 1851.

TUESDAY, 19 AUGUST 1851.

MORNING SITTING, 10 O'CLOCK A.M.¹

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Viger,--The Petition of Mrs. M.E. de Montenach and others, proprietors of Seigniories and Fiefs in Lower Canada.

By the Honorable Mr. Badgley,--The Petition of William Berezy, Esquire, and others, proprietors of Seigniories in Lower Canada.

Petitions read.

Ordered, That the Petition of Mrs. M.E. de Montenach and others, proprietors of Seigniories and Fiefs in Lower Canada, be now received and read; and the Rules of this House suspended as regards the same.

And the said Petition was received and read; setting forth: That the Petitioners have just learned that a Bill has been quite recently introduced before the House, intituled, "An Act to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof:" That if the said Bill should become Law, it would gravely effect the interests of the Petitioners, and of the proprietors of Seigniories and Fiefs generally, and would strike at rights assured to them by the Laws of the land, and firmly established by its Jurisprudence: That time does not permit the Petitioners at present to discuss, in detail, the provisions of the said Bill, and to shew how seriously they violate the sacred rights of property, by depriving the Petitioners of rights and privileges acquired in reliance on the public faith, and which have long been enjoyed and exercised under safe-guard of the Laws, and of the decisions of the Courts: That the Petitioners, relying on a sense of the justice of the House, confidently trust that no final legislative action will be had during the present Session, on a question this important, and affecting thus vitally the interests of an entire class of the community; but that in accordance with the most obvious requirements of justice, the Petitioners will be allowed a sufficient delay to enable them to put in form and lay before the Legislature their objections to a measure, the inevitable result of which must be to take from them much of their property, and even to despoil their creditors, to whom that property stands pledged: That in any case, under such circumstances, the Petitioners ought to have the opportunity of being heard by Counsel at the Bar of the House; and they pray and confidently trust that the House will accord them this right; and praying that the House will be pleased to take into favorable consideration their present Petition, and to grant the conclusions thereof.

Ordered, That the Petition of William Berezy, Esquire, and others, proprietors of Seigniories in Lower Canada, be now received and read; and the Rules of this House suspended as regards the same.

And the said Petition was received and read; setting forth: That the Petitioners have seen that a Report and a Bill have been introduced in the House to define the right of Seigniors and their Censitaires, and having learned also from other sources, that these measures strike at the interest of the Seigniors, in a manner destructive of the rights they have hitherto enjoyed unmolested, the Petitioners would humbly pray, in their capacity as Seigniors, that no definite action might be had, during the present Session, in a matter so vitally important to the interests of the class to be affected, and introductive of a principle dangerous to vested rights in general: That not having had an opportunity to see the provisions of the Bill just mentioned, and consequently being unable to offer reasons to rebut the grounds upon which such radical changes, as it would appear, are proposed to be introduced, or to defend rights, the loss of which may ruinously affect their interest as well as all those similarly situated, they consider it but a common act

of justice that the Seigniors should have an opportunity of being heard in defence of their rights: That whatever may be the opinion in relation to the Seigniorial Tenure, it is not less a fact that the great majority of the present owners of Seigniories have acquired them, either by themselves or through their predecessors, for valuable considerations, taking into account of course the rights conveyed to them as they existed at the time of their acquisitions: That these rights have never, up to the present moment, been legally questioned, and cannot be taken from them without manifest injustice, unless a price equivalent is given for the loss they may sustain: That at this late period of the Session of Parliament, when it will probably be shortly prorogued, no time is allowed to the Seigniors to become acquainted with the provisions of the Bill now before the House, the Petitioners are consequently precluded from offering such means of defence as they may possess; and praying, as first set forth, that it may not now be acted upon, but be postponed to a future Session, when those interested will have an opportunity of being heard at the Bar of the House, in vindication of their rights.

On motion of the Honorable Mr. Badgley, seconded by the Honorable Mr. Sherwood,

Montreal
Diocese Tem-
poralities
Bill.

Resolved, That an humble Address be presented to His Excellency the Governor General, under the provisions of the Forty-second Section of the Imperial Act to re-unite the Provinces of Upper and Lower Canada, specifying that a certain Bill has been passed by this House during the present

Session, intituled, "An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other purposes therein mentioned," containing provisions respecting some of the purposes in the said Section specially described; and praying His Excellency will cause the said Bill to be transmitted to England without delay, for the purpose of being laid before Parliament previously to the signification of Her Majesty's Assent thereto.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of the House as are of the Honorable the Executive Council of this Province.

Church of
England
Society Bill,
(L.C.).

Resolved, That an humble Address be presented to His Excellency the Governor General under the provisions of the Forty-second Section of the Imperial Act to re-unite the

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Provinces of Upper and Lower Canada, specifying that a certain Bill has been passed by this House during the present Session, intituled, "An Act to provide for the establishment of a Church Society of the United Church of England and Ireland, in each Diocese of that Church in Lower Canada, and for other purposes connected with the recent division of the Diocese of Quebec," containing provisions respecting some of the purposes in the said Section specially described; and praying His Excellency will cause the said Bill to be transmitted to England without delay, for the purpose of being laid before Parliament previously to the signification of Her Majesty's Assent thereto.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Seigniorial
Tenure (L.C.)
Abolition Bill.

Ordered, That Mr. Gugy have leave to bring in a Bill for the abolition of the Seigniorial Tenure in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Bill relating
to Lunatics.

The Order of the day for the third reading of the engrossed Bill to authorize the confinement of Lunatics in cases where their being at large may be dangerous to the Public, being

read;

Mr. Solicitor General Macdonald moved, seconded by the Honorable Mr. Hincks, and the Question being put, That the Bill be now read the third time; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Bill to define
certain rights
of Seigniors,
&c.

The Order of the day being read, for resuming the adjourned Debate upon the Question which was yesterday proposed, That the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof, be now read a second time;

And the Question being again proposed:--The House resumed the said adjourned Debate.²

COL. GUGY retraced a portion of the ground embraced in his remarks last night. He dwelt especially upon the rights of seigniors to indemnity, if their present privileges were interfered with. His remarks on this point were frequently interrupted with ironical cheers, which led him to remark that the conduct of those who cheered him was more worthy of advocates than of judges, and was calculated to lead the public to believe that too many members were anxious to sweep away the rights of property without regard to justice.³

MR. SOL. GEN. DRUMMOND called the Hon. member to order as the great path of his oration last night and to-day was made up of vituperation and of imputations upon the motives of members. He (Mr. D.) submitted that such a course was indecorous, and contrary to the rules of the Legislature.⁴

MR. MORIN the SPEAKER said it was not in order to impute motives in members.⁵

COL. GUGY proceeded with his speech, reviewing in detail, the various clauses of the bill, and urging again and again the objection to which he gave utterance last night. The Hon. gentleman did not close until 2 o'clock P.M. ... [at which time] the House adjourned⁶.

AFTERNOON SITTING, 4 O'CLOCK P.M.⁷

MR. VIGER (in French) condemned the haste with which this bill had been forced upon the Legislature, and insisted on the right of the seigniors to be heard against it by Counsel. The Seigniors generally could not have had an opportunity of reading the bill, which should be delayed until next session. Those most interested would then be able to make their remonstrance against it and heard by the House and the country.⁸

MR. CHABOT, dont le discours n'a pas été rapporté tout entier, répondit à M. Gugy⁹ (in French)¹⁰. [He] had been speaking for some time before the Reporter entered the gallery. He was tracing the early history of the cens et rentes in this colony, stating that they had never exceeded the sum of one or two sous. The hon'ble member for Sherbrooke had contended as if the Seigniors were the owners of the property; and as if the rates of rent were entirely undecided in the early time of the Province. It was true, they were not fixed by law, but they were well understood. He read from a judgment of the Intendant, in 1738, in support of this

view, condemning a censitaire to pay rent at the rate of 1 sous. He read from another judgment of this same Intendant, inimical to the right of the Seigniors to augment the rate of rents, and which stated to the effect, that the Seignior should be compelled to concede at the ancient rates. He would cite that fact against the pretension that the Seignior might concede at what rate he desired. The Legislature of Lower Canada had passed an address in 1844 which recognized the obligation of the Seignior to concede at the ancient rates. He considered that a strong fact. In answer to an explanation of Mr. Gagy, he went on to state, that he did not see much difference in the argument that a Seignior should not be obliged to concede at what rates he liked. He went on to read and to ridicule some of the ancient rights of the Seigniors. He came to the right of banalité, and this, he stated, did not form a part of the Seigniorial rights as the Coutume de Paris expressly declared that a title was required for this right; he read from another authority in support of this view. The Seigniors did not own rivers as Seigniors; and it was found in France that some Seigniors did not lay claim to the ownership of rivers. With regard to honorary rights, the Seigniors in this country could not lay claim to them, except in cases where they were high justiciars; and in support of this proposition he enlarged. He read from a judgment disallowing the curés to accord to Seigniors honorary rights, excepting in cases where they exercised high judicial functions. For the rest, with respect to many of Mr. Gagy's arguments, he did not think it necessary to answer them and, as to acting from motives of interest, he was not open to that charge, and should not reply to it.¹¹ He maintained that there were abuses in the existing system, and the time had come when they should be remedied.¹² The report of 1804 admitted that these abuses existed, but could not be remedied, in consequence of the influence of the Seigniors in the colony. But those times were passed now. He insisted that the bill should be immediately passed; and asserted that the exigencies of the country required it.¹³

DR. LATERRIERE (in French) protested against the passing of a bill which so vitally affected the interests of the Seigniors who had received little or no justice of its provisions and who had had no opportunity of making themselves heard against it.¹⁴ The hon. member went on to make some remarks on the tenure, but in a tone of voice so low as to be nearly inaudible in the reporters gallery. The honble member read his projet of commutation, submitted to the Committee. This bill was not a commutation to close the door of difference; but an engine of discussion, that it was still desired to preserve. The fact was, people did not want commutation. They addressed the House to confirm an act of spoliation. He protested against the bill, and thought an act of such injustice ought to have been proceeded with more deliberation; but perhaps it could hardly be expected that seigniors could get much justice from a Committee composed of censitaires. In Upper Canada, however, it had been often declared that vested rights ought not to be touched. He proceeded to give an account of the obligation of the seignior to concede, and of the punishment allotted to him, if he did not. The proper remedy then he argued was not the communistic and socialist measures now adopted; but such a law as would put an end to seigniorial exactions, and not to change the conditions of the tenure, without consent of the parties. He was ready to permit the establishment of saw mills and other manufactories; but would not consent to the abolishment of the banal mills, and coming to the subject of the right of retrait, though he admitted that this right ought to be exercised with discretion, he dreaded the effect of opening the door to frauds, as was proposed by this bill. It was part of a system which would be carried step by step, till it destroyed all the rights of the seignior, without giving him any indemnity. He declared that nothing in the Legislation of the French revolution was so tranchant as the present act, to carry which the House was about to adopt the revolutionary project of erecting itself

en permanence. The end would be, that from a people of honest manners, Canadian people would be converted into cunaille.¹⁵

MR. MCCONNELL after comparing this serf question of Canada to the slave question in England and the United States, remarked that it was evident the seignior was obliged to concede, and that at a small rate. Mr. Neilson in his work, had said it was two sous. The hon. member for Sherbrooke Town had declared that no courts would dissolve contracts. But he asked that hon. member if he had borrowed money at 12 per cent. if the court would not dissolve that contract? It was clear that the necessity of conceding, involved a maximum price. The hon. member had also said that when the seigniors were robbed, the owners of land in the Townships would be robbed.--That was no doubt an allusion to the proceedings of a Committee, which had been sitting during the session. He (Mr. McC.), however, would tell him that this Committee did not design to rob; but, that as these lands were granted, on certain conditions, it was desired to make the holder conform to those conditions, or to sell them. He held the seigniorial tenure to be the worst kind that could prevail, and calculated to make men serfs and keep them so; but perhaps persons were not aware that a similar system was being established in the townships. He then read a deed of sale for 100 acres of land in Bladford, with the most odious conditions of the seigniorial tenure, and stated that one of the recommendations of the Committee on the Townships would be to put a stop to such titles.¹⁶

MR. VIGER after expressing his opinion that the seigniorial system was a paternal one, went on to say that he possessed a seignior partly by descent and partly by purchase. It had been granted in 1641 to the Sieur Repentigny by the company of New France, without any condition at all, except to render faith and homage, and to bring emigrants into New France, to which the company itself was bound. He went on to say that this seignior had been divided, and described the manner in which it had descended to him. Now what was the state of that seignior. It was not thirty years since the last concession was made, and the first were nearly two hundred years old. The concessions were uniform at one sous per arpent in front, and 1 bushel of wheat on each arpent of front. But it was said that this was an exorbitant rate; but this was not so, for the land was much better than in Quebec, and as to the wheat, it was introduced instead of money, at the wish of the habitants. He found too, merchants to receive wheat in payment for their goods. This, too, was conformable to the custom of Paris; so that the Seigniors at that time had the right to take a wheat rent. He was but sixty years of age, but he had known wheat at 50 sous the bushel, and before that it had been 40 sous. It was said now, however, that wheat had become too high; but on the one hand the higher price was an advantage to the censitaires as well as the Seigniors, and since free trade the price had greatly fallen, so that he got only 4s. 5d. for some wheat that he had lately sold. He continued to argue that these sort of rents were better paid in wheat, than in money. Upon the whole respect he owed to his predecessors in his own seignior obliged him to say that the rent should be left as it was, and though he did not speak for his neighbours, he had every reason to believe that they had not offended against the fair rules of their tenure, in any particular. He had already declared, however, that he was willing for his own part to accept any fair commutation, which, without spoliation, would abolish the whole system. He again declared that the censitaire of Lower Canada was as independent a man as any proprietor in the world. He did not say this merely as a seignior; for he began as a censitaire, and had acquired his rights as a seignior. Throughout, however, he had refrained from abusing the seigniors, and he thought they who did so rarely possessed the independence of men of honor. He had acquired in good faith, and he did not understand what right any had to wrest his acquisition from him. As to a fair commutation, as he had said before, he did not object to it. Now, however, the commutation was not sought for; but rather the reduction of the rents. Then it was

said that the seigniors had no rights to the waterpowers. Let it be so; but then who had the right? Was it the King, the present holders, or the predecessors of the present holders?--because the last had only paid the price of the land without the water. As to these water powers, he could not agree in the principles announced by the Solicitor General; but in Toronto he had not the power to search in books for great principles. However, he reminded the House that when the King of England established the Courts of Justice, he had never declared that the seigniors should lose their rights of justice. They lost them as a matter of fact; but no one had ever declared that they lost any property with them and it would have been unjust had they done so; for they were no parties to the arrangement. He then mentioned that when the Cour Royale was established in Montreal, the King of France protected the contingent rights of the seigniors of that island, among which was that of recommending the Clerk of the court, which was practiced even under the English regime, and led to the appointment of the Hon. Mr. D. Beaujeu, an ancestor of the present hon. gentleman of that name. As to this question of water powers, the present bill would lead to the most fatal consequences; for at present the banal mills were supplied with plenty of water, and enjoyed a certainty of business; but, if Tom, Dick, and Harry established mills, everywhere on the streams where they might be roving proprietors, neither of these things would continue. But the doctrine of the Solicitor General came to this.--As the streams went with the Justices, in France they must have gone to the Republic, and in Canada to the King. If, indeed, it were found that the seigniors would not dispose at a fair price of their water powers let them be compelled to do so, at a fair price, provided always that it did not injure the banal mill. It was said that no petitions demanded the abolition of the tenure; but he had the curiosity to examine this question, and found in the clerk's office, one which had served as a model for the rest, it having been drawn by a Mr. Latte, who had acted as secretary to a society for the reform of the tenure. He also was for the abolition.¹⁷

MR. ARMSTRONG asked whether the hon. member was of opinion that the habitans desired reform only, or commutation.¹⁸

MR. VIGER said, judging by their antecedents, he thought not commutation; but they had none the less asked for it in their petitions. Perhaps they now thought better than they had done.¹⁹

The petition ... [was] read by the Clerk.²⁰

MR. VIGER said that the House must now be convinced that the bill was not the thing asked for by the petitioners. These petitions were signed by 12,000 persons, who if all heads of families, represented sixty thousand people; so that all these, at least, must be held to desire an entire abolition of the tenure based on fair principles.²¹

MR. AT. GEN. LAFONTAINE said, that although ready to approve of many of the arguments of the hon. member for Sherbrooke he could not go so far.²² At the same time he declared that having been now twenty five years in Parliament, he would not begin knowingly to commit injustice.²³ He would rather have his right hand cut off than do anything knowingly that was an act of injustice. He was going to vote and nobody would have it in their power to say he had knowingly done an injustice.²⁴ He hated the Seigniorial tenure, because it placed the censitaires below the seignior, and this was consonant with that democracy which did and must prevail in America; but which was not necessarily allied with agrarianism or socialism. It was for this reason that he disapproved of the present bill--because it tended to perpetuate an aristocratic class, out of which it had formerly been attempted to erect a second branch of the Legislature.--²⁵ Democracy formed part of the British Constitution and here we had no aristocracy either in Upper or Lower Canada, and while the

Seigniorial tenure was opposed to such a form of government he was ready to say that this tenure ought to be abolished.²⁶ He wanted not to reform and perpetuate; but to abolish the system. It might be replied, that those in whose name patriotic speeches were made, did not want the abolition of the tenure. He thought they did, and that it ought to be abolished. He has said so last year, and it was with that view the committee had been appointed. The course the committee took they were responsible for, who had taken the nomination out of the hands of the government and insisted that the house should name it. The reason of having a committee at all was that it might not be said that the views of one man had been forced upon the country, and had the committee made such a report as was intended, the entire abolition of the tenure might have been properly dealt with in the next Parliament. One reference was made to the committee on the protection of the Government; but another was made on the motion of a private member of the House, and the committee had reported on the last but not on the first. Let not the government be blamed, therefore, if there were no commutation. He had considered this question for twenty-five years, and he believed that no justice could be done to both parties without an entire commutation--and that effected by a statesman, who will say, we know that injustice must be done in individual cases, but we adopt that course most calculated for the general good. The committee talked of submitting such a plan; but where was it? He would vote for the second reading of the bill; but would not vote for the third reading unless some amendments were made; and this not because it did not give the seigniors that compensation which they demanded for every minute right they possessed. That demand might have done years ago; but would not do now. He would state publicly what he had often said to seigniors in private, that the more they insisted on these fine drawn rights, the more they would lose. He opposed the intention of the first clause of the bill; but objected to its wording; and this not in the interest of the seignior, but in that of the censitaire; for if it passed the seigniors would have no difficulty in making the law the means of working injustice. The hon. member, in a very inaudible voice and in involved sentences, difficult to understand, commented on the words "in the same seigniory," that were found in the ârrêt of 1711. A great deal of stress had been laid on the meaning of these words. The question was, did they apply to seigniors in general, or had they only a special application? For his part he did not understand how people could reason on the words "the same seigniory" and make them apply to all seigniories, without losing themselves. It had been admitted by the hon. Solicitor General and the hon. member for Quebec, that the rate of rent had varied in the ancient times of this colony, and that there was no fixed rate; (hear, from Mr. Gugsy) but while he (Mr. L.) believed that, he did not admit that the rates in any case were high rates. He believed that the rates were small. There had been difficulties in the ancient times about the rates of rents, or if this had not been the case, we should never have heard of the censitaires going to the Intendant or the King for his decision. That shewed that if you want to make the words "same seigniory" apply to all seigniories you lose yourself.²⁷

MR. SOL. GEN. DRUMMOND said that he had only tired to establish the maximum rate, which was a low one.²⁸

MR. AT. GEN. LAFONTAINE went on commenting on this point for some time; but he did not, as a Reporter understood, bring out any principles other than those above stated. The hon. members for Sherbrooke and Terrebonne admitted that the seigniors were bound to concede; and when they made that admission, they must also admit, that this must have been at some fixed rate, as if this were not the case the seigniors might have asked so high a sum as would have been tantamount to refusing to concede. The ârrêt of 1711 required the seignior to concede, or upon his refusal to do so, it enjoined the censitaire to apply to the Intendant or Governor, for a concession, but then, the grant would not be good unless made jointly by the Intendant and the

Governor. The hon. member for Sherbrooke had admitted that that ârrêt was still in force. The hon. member went on to read some of the clauses of the bill which he ridiculed. He said that under it the seignior might make concessions of land to some of his relations or friends, and then get them back again, and be the sole proprietor. If that bill came into law the seigniors would have that power under it. He would stake his character as a lawyer upon that fact. The bill would ratify a sale made by a seignior of his property. He knew that was not the intention of the Solicitor General, and he knew it was difficult to frame a bill against which there would not exist objections, but that shewed how necessary it was to take time and care before legislating on so important a subject, that so vitally affected the rights of so many parties. And it shewed how cautious a member should be before he gave his vote.²⁹

MR. SOL. GEN. DRUMMOND asked if the hon. member would allow him to explain, as it would prevent the hon. member wasting his strength upon nothing through misapprehension. The bill only obliged the seignior to concede for a certain sum, and it left untouched the common law.³⁰

MR. AT. GEN. LAFONTAINE went on in the same manner as before, maintaining the opinion he had just stated.³¹

MR. SOL. GEN. DRUMMOND again explained, and added that the hon. member did not understand the bill.³²

MR. AT. GEN. LAFONTAINE continued to maintain his position, contending that in this respect the bill was in the highest degree unjust towards the censitaire. He went on to argue that as it was worded it was unjust towards the seignior in other particulars. He read over that clause that had reference to the extent of the domain, (500 acres) to be allowed to the seignior, and said that its operation would force Major Campbell to concede Belleisle Mountain, which was unfit for purposes of cultivation, but which covered a very large area. He asked if that was just? If that was the intention of the bill.³³

DR. BOUTHILLIER said they only intended that the seignior should reserve a domain of 500 acres. They wanted to fix the maximum. The rest he must concede.³⁴

MR. AT. GEN. LAFONTAINE held that the law would be in the highest degree unjust that compelled Major Campbell to concede Belleisle mountain. He read over other clauses of the bill objecting to them as he went along; but he stated that he would vote for the second reading of the bill, which could be amended in Committee. With respect to honorary rights, he did not think the seigniors could lay claim to them, and he considered them unfitted to the state of our society. He had shewn that the ârrêt of 1711 only obliged seigniors to concede; but he admitted that the rate of cens et rentes had been raised; and, he did not admit the pretensions of the seigniors that they had the right to raise them. These higher rates had been sanctioned by the courts of justice but he did not admit their power to do so. But a clause in the bill, and also in the draft of the bill for a plan of commutation, shewed that the Committee recognized the right of the seignior, to compensation, who had in good faith purchased his property, and for his (Mr. L.'s) part, he was glad to see that recognition. But he again said, that he did not admit the right of the seignior to raise his rents. His (Mr. L.'s) advice to the seigniors would be to consent to this although, it might in some respects do them injustice. The only way to deal with this question was on the principle of compromise. By this means, and by settling the question now, the seigniors will get more than by waiting, as the socialistic spirit that was abroad would continue to gain force. He did not admit that the seigniors had the right to raise the rates of rent even with the consent of the censitaires. With respect to the droit de retrait (right of retraction or pre-emption) that was only conventional. The seignior had it in certain cases only,

and it did not exist in common law.³⁵

MR. BADGLEY stated that he should not go into detail in following the arguments of hon. gentlemen who had preceded him, but, he would give a few reasons only for his voting for the second reading of the bill before the House. He was one of the Committee which reported the bill, and he agreed with it in principle, but he had objected to several of its details. With respect to the composition of the House who had to decide upon the question, the hon. member for Sherbrooke had complained that rights of the seigniors were to be decided by censitaires, there being only six seigniors in the House. Now, one half of the members come from Upper Canada, and had no personal interest whatever in the matter, and a portion of those from Lower Canada from English Constituencies had also no personal interest, so he thought that in this respect, the complaint of the seigniors was unfounded, and, that the House as it was at present composed was a perfectly competent body to do justice between the seignior and censitaire. But he had no objection to granting the request of the seigniors, and allowing them to be heard by Counsel at the bar. He believed however, that if the seigniors did not settle the matter now that they would not have the opportunity of effecting so favourable a settlement. There was a feeling abroad in the country against seigniorial property, and it would continue to rise until the question was set at rest. It was for this reason, that he advised the seigniors against postponement. He proceeded to refer to the introduction of the feudal law in this country, stating that all matters pertaining to fiefs et censives were governed by the law of the custom of Paris introduced and established in this country in 1663.--Foreigners when they settled in a new country generally carried their old laws and customs with them whether French or English; no doubt the French colonists brought with them their local laws, the customs of those parts of France from whence they emigrated. Many came from Paris, whence the feudal law prevailed, and where these rents and services were acknowledged in law.--The actual rate of cens et rentes is nowhere to be found in the books, although it is well known that different rates prevailed in the different manors which were included in the prevote--with respect to the cens et rentes he did not find any fixed rates in any colonial law, though known, and acknowledged customary rates prevailed. In the old times of this colony these had varied; and it was known that in some places one rate prevailed, and in others, another. Below Quebec where the land was poor they found a lower rate than higher up towards Montreal where the land was better. In some cases the rate was one sous, in others two sous, in others a capon or two capons, in another two and a half bushels of corn with a money rent coupled with it. He was not surprised at the agitation that was going on in Lower Canada. There was nothing new in it. It was but the old struggle between the feudal and allodial tenures that had for years been going on in England, France and other parts of Europe. It was well known to what a terrible and bloody revolution this struggle had led in France, where the chapter of Fiefs et censives had been violently torn out of the French Statute Book. He wished that it should be torn from ours. He believed that a system of commutation and a declaratory law should go hand and hand together, as if the declaratory law were passed first, the people would not seek for the commutation afterwards. He did not believe that the habitants of Lower Canada desired a commutation. All they wanted was an absolute reduction of rents, and in support of this view, he stated that in districts in Lower Canada, where facilities for commutation, had been afforded to the inhabitants--few had, however, taken place. They saw the same kind of thing in England with regard to the copyhold tenure in that country. He read some passages from a report of the Copyhold Commissioners in 1847, to the effect that a forced commutation would be highly unpopular. The same thing was true here. Were they to pass a law to force commutation, they would have the whole country about their ears. All that the habitants wanted, was to force the seigniors to reduce

the rate of rents. This was what honble. members saw was the burden of the complaint in all the petitions that were sent in; they did not pray for commutation, and forcing it, would raise a storm. What were the incidents of the feudal tenure? They were the cens et rentes, lods et ventes, and some others. They were all susceptible of a conversion into money. The seigniors should receive just indemnity for these, whether to be paid at once, or in instalments in a number of years. He proceeded to remark on what had been said during the debate, on what was called la haute justice, and said, that it was the first time that he had learned, that the right for unnavigable rivers was granted in consideration of this haute justice, --but he expressed his doubts of the truth of this.--He went over some of the incidents of haute justice, such as the parade the seigniors had used to make of their gallows--some having shown one and others three or six supporters. He thanked God that those days were passed now; but he did not think that that system had obtained in Canada, as the haute justice was invested in the conseil superieur. With respect to the Droit de retrait whether conventional or not, it was only intended to protect seigniors from fraud, in some such manner as our Custom's Officers may attach goods entered too low as a protection against fraud upon the revenue. The droit de banalité, was a right of the seigniors and should not be taken from him without just compensation. The censitaire must have his grain ground at some mill, and he was of opinion that this complaint was, for the most part, theoretical. He concluded by making some remarks on the nature of the agitation in Lower Canada, which he thought was likely to go on increasing. It was got up for the most part by men possessing no stake in the country, who did not take the matter up and propose any plan to meet the difficulty, but who only raised doubts and dissatisfaction.³⁶ He was convinced of the necessity for a settlement of the question, as well for the interest of the censitaire, as for the seignior because if the seigniors continue to enforce the law as it now exists, the time would soon come when they would have no law to enforce, and it was essential to the peace of Lower Canada that the question be settled.³⁷

MR. CAUCHON (in French) expressed himself dissatisfied with the argument of the Attorney General and did not see that a Declaratory Bill and one for commutation should necessarily go together. He would have preferred to have had some more precise information relative to the rates of rent. He stated that in his country there never were any meetings held on the tenure, nor any complaints made against the abuses of it, as the rates of rent had always been low. He thought that he was in consequence in a better position than most members to judge of the nature of the agitation. He went on warmly to state that those who did not see that the public mind of Lower Canada was violently agitated, were blind to the signs of the times. The torrent had broken loose from the top of the mountain and would proceed onward with irresistible force. The Attorney-General himself had stated last session and this evening also that the longer the seigniors waited the worse settlement they would get. He felt bound to state although he had the highest respect for the administration and was thankful for what it had done, that it would have been better for the seigniors and society, had this question been taken up and settled last session. It was better to settle it now, than to leave it to another parliament. He asked the House and the seigniors to reflect if this question would not be made a turning point at the next elections. He prayed them at the risk of some personal sacrifice to take away this brand from the country. He asked it for their own sakes and in the name of public morality. They must remember that the populace did not discriminate and judge between points of law as indeed few men possessing even education did. In not settling this question now, you endanger the whole frame of society and the constitution. Every member in this House should assist in making an equitable measure; and not one should hesitate to vote for its going into committee. He had some amendments to offer.³⁸

MR. LEMIEUX after some preliminary remarks expressed his regret at the remarks of Attorney General on the labours of the committee. The bill might not be perfect. Attorney General had not given the latitude to the arret of 1711 that the committee had. From the words of the Arret they were bound to believe there were accustomed rates fixed although it was difficult to find out what they were. But before 1711 they found no rents fixed at a higher rate than 2 sous, and very many concessions were made at a much lower rate. It could not be pretended that these rates were charged after the cession of the country.--With all respect to the opinions of the hon. Attorney General he did not believe that buyers should not be put in better position than the sellers. His opinions were founded on those of several eminent lawyers. If they referred to the report of Solicitor General Williams they found the same doctrine. He held that 2 sous should be the rate instead of 4 sous mentioned in the bill.³⁹

MR. CARTIER hoped all who had heard the hon. member for Sherbrooke had also heard the hon. Attorney General. The first had complained of the spoliation of the seignior while the other had warned the House not to do injustice by it to the Censitarie. The House therefore was in a position to do justice to that prejudice. The House had heard much of the arret of 1711, and the obligation of the seignior to concede and not sell. He was sorry to hear the remarks of the hon. member for Terrebonne, to the effect that a seignior was the absolute proprietor of his estate, for if he were so there was an end to legislation. He could sell or do what he pleased.⁴⁰

MR. VIGER said a few words in reply.⁴¹

MR. CARTIER was glad to hear that answer, that though the words of the title contained the expression en pleine propriété, that this would still be under the law of the land. Indeed this was so clear that the hon. member for Sherbrooke was obliged to confess it, yet in the same breath the hon. member denied this conclusion, and declared there was no quantum fixed for the cens et rentes. This statement then amounted to nothing at all. The hon. member had read from the title of his predecessor Mr. Dumontier to prove that he had the same property in the seignior as the seignior under the custom of Paris. His object was to represent that he had absolute property, but this could not be the case, for the French King, the grantor, had fixed the conditions of the tenure. So true was this that no seignior since the settlement of Canada had ever attempted a sale except under the colour of a concession, then though it might be impossible to find the precise mathematical line of the rente, it was plain there must be a limit, and equally plain that this was never more than two sous per arpent. But when the hon. member talked of his being in the same condition as the seigniors under the custom of Paris he spoke of what was not the same. The seignior under the custom of Paris could do what he pleased. In Canada he could not do so. In the custom of Paris the seignior made vassals; in Canada he made censitaires. He regretted, though he approved the labour of the committee, that they had not at once reported a bill for the commutation. He would not exact anything impossible, but he confessed that he wished they had at once commuted the unconceded lands. When the cens et rentes were fixed, it would have been easy to say what should be the price at which the public might buy in free tenure; and his reason for this was obvious--because next year the House would be obliged to extricate from the seigniorial tenure the lands to be granted under this very law. However, many lands would probably not be granted under the present law, and, therefore, the inconvenience would not be much. Some gentleman said that the seigniorial tenure was the best to settle a country. For his own part he did not believe that; and even at this day the seigniorial tenure was the most expensive under which to acquire land. For instance, if a person desired to acquire 100 acres of land at the price to be now fixed; that would come to \$3, rep-

resenting \$50, and he reckoned the lods et vente at as much. That was £25 for 100 acres, while the good township lands could be bought for 3s. per acre. He thought too that seigniors ought to be the last persons to object to any reasonable settlement, even though they lost something by it. The hon. member for Sherbrooke had talked of agitation; he (Mr. C.) was opposed to agitation; but it must be remembered that the members of that House had the peace of the country in their hands. The hon. member knew what might result from the refusal of reasonable demands, by what had taken place in France and as he himself said, in the State of New York.--But the hon. member should remember that there the agitators did not desire to give any compensation to the seigniors. To that he would never consent; and though he thought it a good measure, it might undoubtedly be improved in Committee.--Nor did he see why the seigniors should be refused the right to be heard at the bar, as many other persons had already been. At the same time he did not wish this to be made an excuse for defeating the measure. He would now conclude merely warning the seigniors as those in France had been warned before the great revolution in that country, to accept compromise, while agitation was confined to the surface and all was calm at bottom; for if the settlement were delayed, a tempest might hereafter arise which no statesman could stay.⁴²

MR. H. BOULTON expressed surprise that a measure of such vital importance to the interests of Lower Canada had not been brought in by the Government so that it might be supported by the whole weight of their authority. It could not but embarrass a question of this kind to find the Solicitor General--one of the Law officers of the Crown--introducing a measure in which his leader does not correspond. It would be wrong in the Legislature to pass any Act which would operate to the confiscation of any man's rights, although they had the power to do so. That was more the power of the highwayman than that of a Legislature. He took it for granted that the land was held upon the condition that the Seignior was bound to concede this land to everyone who required it, and while both parties had certain rights, it would be injustice to the Seignior to interfere with the rent so as to diminish it, and it would be granting a favor to the censitaire he had no right to ask. He was convinced that the seigniorial tenure was most injurious to the interests of the Province, both agricultural and commercial. It placed the censitaire in a position which no man who had the feelings of a freeman could endure. He had in his hand an agreement from a Seignior; and he thought it strange that any man should submit to the degree of degradation which such an agreement imposed. He did not altogether blame the Seignior, but he wondered that the people were fools enough to submit to such tenures. He was satisfied that he could not sell an acre of land upon such a condition. He looked upon the argument of the hon. member for Sherbrooke as a paradox. It was impossible that there was any right to concede, unless there was some condition upon which this concession was made. He hoped the matter would speedily be settled as the interests of both Provinces depended upon its proper adjustment. But he thought⁴³ that it was the only duty of the House to erect a court, or confer on some existing court powers for the purpose of enforcing the law with reference to concessions: but that the House was a body altogether unfit to pronounce what the rate of rent should be, at which the seignior should be bound to concede and that this ought to be left to the court.⁴⁴ He would, however, vote for the second reading of the bill.⁴⁵

MR. CHAUVEAU said there were two motions before the House: first for the second reading of the bill; secondly for delay in order that counsel might be heard at the bar. As to the first there could be little doubt. As to the other it was without much repugnance that he voted against it. When he remembered that the seigniors knew all the session what was going forward he could not resolve to postpone the measure in such a manner as to put off its decision till another session with

all the excitement that must attend that course during the twelvemonth. He congratulated the House upon the spirit in which the discussion had been carried on, which was truly rare in legislative bodies, when matters of such personal importance were involved. He did not wish to lose the benefit of that discussion, and he remembered--"Bis dat qui dat cito." He would not, while he voted for the second reading, promise to vote for the third unless the bill received some important modifications; but he had no doubt it would be greatly improved in committee of the whole.⁴⁶

Some remarks [came] from MESSRS. H. and G. SHERWOOD in favour of, and COL. PRINCE against the bill⁴⁷.

MR. SOL. GEN. DRUMMOND replied at some length⁴⁸.

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Mr. Gagy moved in amendment to the Question, seconded by the Honorable Mr. LaTerrière, That all the words after "That" to the end of the Question be left out, in order to add the words "in order to afford the Seigniors of Lower Canada an opportunity of being heard, the Debate be further adjourned until this day fortnight;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Christie, Dumas, Gagy, Attorney General LaFontaine, LaTerrière, McConnell, Sauvageau, and Viger.--(8.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Cayley, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Guillet, Holmes, Lacoste, Laurin, Lemieux, Letellier, Macdonald of KINGSTON, Malloch, McFarland, Méthot, Mongenais, Robinson, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(30.)

So it passed in the Negative.

And the Question being again proposed, That the Bill be now read a second time;

Mr. Gagy moved in amendment to the Question, seconded by the Honorable Mr. LaTerrière, That all the words after "That" to the end of the Question be left out, in order to add the words "an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to appoint a Commission for the purpose of devising a mode of Commutation whereby the Seigniorial Tenure in Lower Canada may be converted into a free one, taking care that all the interests concerned are protected and equitably adjusted; and that such Commutation be effected by securing a fair indemnity to all parties whose just rights it will affect" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Christie, Gagy, LaTerrière, and Viger.--(4.)

NAYS.

Messieurs Armstrong, Baldwin, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Cayley, Chabot, Chauveau, Solicitor General Drummond, Dumas, Fortier, Fournier, Fourquin, Guillet, Holmes, Lacoste, Attorney General LaFontaine, Laurin, Lemieux, Letellier, Malloch, McConnell, McFarland, Méthot, Mongenais, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(31.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of TORONTO, Bouthillier, Cauchon, Cayley, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Guillet, Holmes, Lacoste, Attorney General LaFontaine, Laurin, Lemieur, Letellier, Macdonald of KINGSTON, Malloch, McConnell, McFarland, Méthot, Mongenais, Robinson, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(33.)

NAYS.

Messieurs Gugy, LaTerrière, and Viger.--(3.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Saturday next.

Ordered, That the said Order be then the first Order of the day.

On motion of MR. VIGER, leave was granted to the Petitioners, praying for the postponement of the Bill⁴⁹.

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Ordered, That leave be granted to the Petitioners, praying for the postponement of the Bill, to be heard by Counsel at the Bar of this House, on Saturday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed
until to-morrow.

Then, on motion of the Honorable Mr. Attorney General LaFontaine, seconded by the Honorable Mr. Viger,
The House adjourned.

FOOTNOTES: 19 AUGUST 1851.

1. GLOBE, 21 August 1851, reported that the house met at 10 a.m.
2. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 21 August 1851, BRITISH COLONIST, 22 August 1851, HAMILTON SPECTATOR, 23 August 1851, MONTREAL GAZETTE, 25 August 1851, PILOT, 26 August 1851, NORTH AMERICAN, 29 August 1851, and LA MINERVE, 28 August 1851. The following papers noted the debate in partially identical accounts: MONTREAL GAZETTE, 20 August 1851, EXAMINER, 20 August 1851, PILOT, 21 August 1851, and JOURNAL DE QUEBEC, 21 August 1851. The debate was also noted by EXAMINER, 27 August 1851. Commentaries appeared in: MONTREAL GAZETTE, 20 August 1851; and PILOT, 23 August 1851, which commented that Mr. Gagy "spoke for about eight hours altogether, in some parts handling his subject with ability, in others, descending to those personalities with which he is too apt to interlard his subjects."
3. GLOBE, 21 August 1851.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. LA MINERVE, 28 August 1851.
10. GLOBE, 21 August 1851.
11. BRITISH COLONIST, 22 August 1851.
12. GLOBE, 21 August 1851.
13. BRITISH COLONIST, 22 August 1851.
14. GLOBE, 21 August 1851.
15. BRITISH COLONIST, 22 August 1851.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. GLOBE, 21 August 1851.
23. BRITISH COLONIST, 22 August 1851.
24. GLOBE, 21 August 1851.
25. BRITISH COLONIST, 22 August 1851.
26. GLOBE, 21 August 1851.
27. BRITISH COLONIST, 22 August 1851.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. GLOBE, 21 August 1851.
38. BRITISH COLONIST, 22 August 1851.
39. IBID.
40. IBID.
41. IBID.
42. IBID.

- 43. GLOBE, 21 August 1851.
- 44. BRITISH COLONIST, 22 August 1851.
- 45. GLOBE, 21 August 1851.
- 46. BRITISH COLONIST, 22 August 1851.
- 47. IBID.
- 48. GLOBE, 21 August 1851.
- 49. IBID.

WEDNESDAY, 20 AUGUST 1851.

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Petitions read.

PURSUANT to the Order of the day, the following Petitions were read:--

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Of the Reverend S.P. Ramsey, M.A., and others, of Newmarket, and other Townships; of the Reverend John Fletcher and others, of Mono, County of Simcoe; of the Reverend Thomas W. Marsh, B.A., and others, of the Township of Pickering; of Francis V. Carey, Esquire, M.D., and others, of Napanee and its vicinity; of John D. Smith and others, of the Townships of Nelson and Trafalgar; of the Reverend Edward Denroche and others, of Brockville and its vicinity; of Benjamin Tett and others, of Newborough and other Townships; of George Hann and others, of Sandwich and its vicinity; of the Reverend E. Morris and others, of Merrickville and its vicinity; and of Robert Ferguson, Esquire, and others, of Kitley; praying that the vested interest of the Clergy of the various Religious Denominations of Christians in the Province, acquired by the Act of settlement of 1840, may be so respected as to prevent any further legislation on the subject of the Clergy Reserves.

Of John Dougall and others, the Committee of the Montreal Temperance Society; praying for certain amendments to the Bill to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance.

Second Report on Settlement of the Eastern Townships.

Mr. Fortier, from the Select Committee appointed to enquire into the causes which prevent or retard the settlement of the Eastern Townships in the Districts of Three Rivers, St. Francis, and Quebec, and to report on the means which it would be more expedient to adopt in order to facilitate the settlement of the said Townships, and other references, with power to report from time to time, presented to the House the Second Report of the said Committee; which was read.

Appendix (V.)

For the said Report, see Appendix (V.)

Ordered, That One thousand copies of the First and Second Reports of the said Committee, and of the Documents accompanying the same, be printed, in pamphlet form, for the use of the Members of this House.

Woodstock and Lake Erie Railway Bill.

Mr. Wilson moved, seconded by Mr. Malloch, and the Question being put, That the Clerk of this House do refund to the Petitioners, the Fee of Fifteen pounds paid on the Bill to amend the Charter of the Woodstock and Lake Erie Railway Company; the House divided:--And it was resolved in the Affirmative.

Goderich and Guelph Railway Bill.

The Honorable Mr. Cayley moved, seconded by Mr. Malloch, and the Question being put, That leave be given to introduce a Bill to incorporate a Company for the construction of a Railway from Goderich to Guelph;

The House divided:

Yeas, 19.

Nays, 9.

So it was resolved in the Affirmative.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Bill relating to the Independence of the Legislative Assembly.

Ordered, That the Honorable Mr. Badgley have leave to bring in a Bill to repeal certain provisions of the Act for better securing the independence of the Legislative Assembly of this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Assessment
Law (U.C.)
Amendment
Bill.

The Order of the day for the second reading of the Bill to explain and amend the Assessment Law of Upper Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for this day.

Naval Reserves
Vesting Bill.

An engrossed Bill for vesting in the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, the Estates and Property therein described, and for granting certain powers to the said Commissioners, and for other purposes therein mentioned, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Baldwin do carry the Bill to the Legislative Council, and desire their concurrence.

Freedom of
Banking Bill.

The Order of the day for the second reading of the Bill to amend the Act to establish Freedom of Banking in this Province, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Local Police
Force Bill.

The Order of the day for the House in Committee on the Bill to authorize the employment of Military Pensioners and others as a Local Police Force, being read;

The House accordingly resolved itself into the said Committee.

Mr. Lemieux took the Chair of the Committee;¹

MR. MERRITT reviewed his opposition to the bill, which he deemed a most dangerous infringement of the position which Canada, as a colony should occupy towards the Imperial Government. It was the beginning of a system which would end in making the Province to bear the whole of the military expenses, and in the establishment of a police force, as odious in its constitution as that of Ireland. He moved that the committee do now rise.²

MR. H. BOULTON took the same view. If such a police force were once organized, it would be a mere instrument in the hands of the Government to be used as they pleased--it might be in manner, subversive of the liberties of the people.³

MR. INSP. GEN. HINCKS said that the bill was fully debated on the second reading, and that this attempt to obstruct its progress was part of the obstructive and really factious course which certain members had pursued throughout the session. Such a course was unknown to the Imperial Legislature, or in any other legislature which had a proper regard for its own character. The bill under consideration did not contemplate the expenditure of a shilling of the public money, but, on the contrary, was intended to relieve the people of the Province of a large amount of taxes to which they were at present subjected. The hon. gentleman went on to explain the provisions of the bill, and to vindicate the Government from the imputations which had been thrown out against them. He contended that the Province should feel deeply indebted to the Home Government, and that the operation of the measure would be practically beneficial to the whole community. It was a measure of real economy, and was needed to meet exigencies which arose inseparable from the construction of great public works.⁴

MR. MACKENZIE opposed the bill, and pointed out some of its provisions, which he regarded as inimical to the welfare and liberties of the Province.⁵

MR. BADGLEY said he should vote against the amendment, although disapproving of some of the clauses of the bill.⁶

The amendment was negatived by a considerable majority.⁷

The various clauses were then agreed to with amendments.⁸

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lemieux reported, That the Committee had gone through the Bill, and made amendments thereunto.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being proposed, That the Report be now received;

MR. H. BOULTON renewed his opposition, but without effect⁹.

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The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Hopkins, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NCRFOLK, Dickson, Hopkins, Macdonald of KINGSTON, Mackenzie, McConnell, Merritt, Robinson, Seymour, and Stevenson.--(10.)

NAYS.

Messieurs Armstrong, Badgley, Bell, Bouthillier, Burritt, Cartier, Cauchon, Cayley, Chauveau, Duchesnay, Fergusson, Fortier, Fournier, Hincks, LaTerrière, Lemieux, Solicitor General Macdonald, Méthot, Meyers, Polette, Price, Richards, Ross, Sanborn, Sauvageau, Smith of DURHAM, and Smith of WENTWORTH.---(27.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Bell, Bouthillier, Burritt, Cartier, Cauchon, Cayley, Chauveau, Duchesnay, Fergusson, Fortier, Fournier, Hincks, LaTerrière, Lemieux, Solicitor General Macdonald, Méthot, Meyers, Polette, Price, Richards, Ross, Sanborn, Sauvageau, Smith of DURHAM, and Smith of WENTWORTH.---(27.)

NAYS.

Messieurs Boulton of NORFOLK, Dickson, Hopkins, Macdonald of KINGSTON, Mackenzie, McConnell, Merritt, Robinson, Seymour, and Stevenson.---(10.)

So it was resolved in the Affirmative.

(300)

Mr. Lemieux reported the Bill accordingly; and the amendments were read, as follow:--

Folio 3, line 9. After "power" insert "nor in any matter or thing save in connection with the said Military Pensioners."

Folio 3, line 24. After "Acts" insert Clause (A.)

Clause (A.) "And be it enacted, That this Act shall continue in force for five years from the passing thereof, and from thence to the end of the next ensuing

Session of Parliament."

And the first amendment being read a second time, and the Question being put, That this House doth concur with the Committee in the said amendment:--It passed in the Negative.

The second amendment being read a second time;

The Honorable Mr. Boulton moved in amendment thereunto, seconded by Mr. Dickson, That the word "five" be left out, and the word "three" inserted instead thereof;

And the Question being put on the Amendment;

The House divided:

Yeas, 10.

Nays, 20.

So it passed in the Negative.

The second amendment was then agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Bill relating
to Chartered
Banks.

The Order of the day for the House in Committee on the Bill to exempt the several Chartered Banks from the Tax on their Circulation, on certain conditions, being read;

The House accordingly resolved itself into the said Committee.

Mr. Chauveau took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chauveau reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Chauveau reported the Bill accordingly; and the amendment was read, and agreed to.

The Honorable Mr. Boulton moved, seconded by the Honorable Mr. Badgley, and the Question being put, That the words "and for the three years next thereafter, such Bank shall be liable to one-half only of the duty which would otherwise be payable by it under the Act last aforesaid, and after the expiration of the said three years" be left out of the first Clause of the Bill:--It passed in the Negative.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Macdonald, and the Question being put, That the Bill, with the amendment, be engrossed, and read the third time to-morrow; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Bouthillier, Burritt, Cartier, Cauchon, Chauveau, Dickson, Solicitor General Drummond, Duchesnay, Fournier, Hincks, La-Terrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McLean, Merritt, Méthot, Meyers, Mongenais, Polette, Price, Richards, Robinson, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Smith of WENTWORTH, and Taché.--(34.)

NAYS.

Messieurs Boulton of TORONTO, Hopkins, Mackenzie, McConnell, Seymour, and Stevenson.--(6.)

So it was resolved in the Affirmative.

Emigrant Act
Amendment Bill.

The Order of the day for the second reading of the Bill to amend the Emigrant Act, by reducing the Tax on Emigrants coming into this Province, and for other purposes, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Dickson reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Dickson reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Bill relating
to Recorders'
Courts (U.C.).

The Order of the day for the second reading of the Bill to authorize the payment of certain expenses of the Administration of Justice in the Recorders' Courts in Upper Canada, out of the Consolidated Revenue Fund of this Province, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Bill relating
to Patents
for Inventions.

The Order of the day for the House in Committee on the Bill to enable parties holding Patents for Inventions confined to one Section of this Province, to obtain the extension of the same to the other Section thereof, and for other purposes therein

mentioned, being read;

The House accordingly resolved itself into the said Committee.

Mr. Bouthillier took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Bouthillier reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Pawnbrokers
Bill.

The Honorable Mr. LaTerrière reported the Bill for the regulation of Pawnbrokers and Pawnbroking; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Tavern-keepers,
&c., Licenses
Bill.

The Honorable Mr. Macdonald reported the Bill to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Hamilton Court
House Square Bill.

Bill, intituled, "An Act to authorize the Municipal Council of the United Counties of Wentworth and Halton to dispose

of a part of the present Court House Square:"

Bill to enable
C.R. Wilkes
to convey
certain Real
Estate.

Bill, intituled, "An Act to enable Caira Robbins Wilkes, the wife of George Samuel Wilkes, of Brantford, Esquire, to convey by herself certain Real Estate devised to her by her late father:"

Sydenham Mountain
Road Act Amend-
ment Bill.

Bill, intituled, "An Act to amend the Sydenham Mountain Road Act, and to vest in George Rolph, Esquire, his heirs and assigns, certain privileges therewith connected:"

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Western Assur-
ance Company
Bill.

Bill, intituled, "An Act to incorporate the Western Assurance Company:"

Quebec City
Water Supply
Bill.

Bill, intituled, "An Act further to amend the Acts for supplying the City of Quebec, and parts adjacent thereunto, with water:"

Maskinongé
Common Bill.

Bill, intituled, "An Act to revive and amend the Act relating to the Common of Maskinongé:"

Wesleyan Benev-
olent Societies
Bill.

Bill, intituled, "An Act to incorporate the Benevolent Societies of the Wesleyan Methodist Church in Canada:"

Municipalities
Act (L.C.)
Amendment Bill.

Bill, intituled, "An Act to repeal a Proviso of the Act of the now last Session amending the Lower Canada Municipalities Act:" And also,

Parishes Erection
Bill, (L.C.).

The Legislative Council have passed the Bill, intituled, "An Act to provide for the erection of Parishes for Civil purposes only in the Seigniority of Argenteuil, in Lower Canada,"

with several Amendments, to which they desire the concurrence of this House: And also,

Fort Erie and
Buffalo Sus-
pension Bridge
Bill.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the Fort Erie and Buffalo Suspension Bridge Company," with several Amendments, to which they desire the concurrence of this House: And also,

Canada West
Farmers' Mutual
and Stock Insur-
ance Bill.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate 'The Canada West Farmers' Mutual and Stock Insurance Company,'" with several Amendments, to which they desire the concurrence of this House: And also,

Port Burwell
Harbour Company
Bill.

The Legislative Council have passed the Bill, intituled, "An Act to amend the Act incorporating the Port Burwell Harbour Company," with several Amendments, to which they desire the concurrence of this House: And also,

St. Lawrence and
Lake Champlain
Railroad Branch
Bill.

The Legislative Council have passed the Bill, intituled, "An Act to empower the Company of Proprietors of the Champlain and Saint Lawrence Railroad to make a Branch Road, and for other purposes," with an Amendment, to which they desire the concurrence of this House.

And then he withdrew.

MR. COM. CR. LANDS PRICE¹⁰ moved the House into Committee on the bill to amend the Post-office act.¹¹

(301)

Post Office
Act Amendment
Bill.

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled, "An Act to amend the Post Office Act," being read;

The House accordingly resolved itself into the said Committee.

Mr. Fergusson took the Chair of the Committee;

A discussion took place on the clause relating to contracts in which it was provided that the lowest tender should be accepted, if proper security were offered.¹²

MR. RICHARDS moved an amendment¹³ in one of the clauses relative to the taking of contracts, having the effect of permitting the Post-master General to refuse the lowest tender in contracts¹⁴, [and] leaving the power to make contracts to the Post-Master General¹⁵ when he thought that advisable; which, after some conversation, was carried.¹⁶

MR. H. SHERWOOD asked the Commissioner of Crown Lands if the Government approved of the amendment and not receiving any answer, he proceeded to assume that the Government got the member for Leeds to propose what they themselves shrank from introducing.¹⁷ [He] ... complained of the system which Government adopted, of bringing in bills, and then permitting them to be amended by individual members. This, he said,¹⁸ was of a piece with their conduct on other occasions, and with the laughing character of their legislation generally, but it was altogether derogatory to their position or the character of the House. The hon. gentleman then assailed the proceedings of the Legislative Council, alleging that ... they altered or threw out bills at the beck and nod of members of the House, without any knowledge of the measures in question.¹⁹ Members, who had failed to carry their views in the Assembly, brought back-stair influence to bear on the Council²⁰. The only remedy for this state of things was to make the Council elective.²¹ [It] would never be respectable or useful till it was chosen by the public.²²

MR. COM. CR. LANDS PRICE vindicated the Government, alleging that Mr. Richards brought in the amendment on his own account, but that the Government did not disapprove of it.²³

MR. RICHARDS contended that the amendment was necessary to an efficient discharge of the public service.²⁴

MR. MACKENZIE contended that the difficulty mainly arose from the Post-Master General being made a member of the Executive, instead of confining himself exclusively to the postal department.²⁵

After some further conversation, in which MR. H. SMITH, of Frontenac, MR. MERRITT, and MR. SOL. GEN. MACDONALD took part, the amendment was carried by a majority.²⁶

The clause empowering the Post-Master General to open new post-offices,²⁷ when the revenue should be sufficient [came up.]²⁸

MR. H. SMITH of Frontenac, expressed a hope that the Postmaster General, in exercising this power, would be guided by a desire to meet the requirements of the public,²⁹ for the spread of information³⁰ rather than³¹ a niggardly regard for the mere Post Office revenue.³²

On reaching the clause fixing the salaries of Postmasters³³, MR. COM. CR. LANDS PRICE proposed to fix the maximum at £400 per year.³⁴

MR. W. BOULTON said that the prerequisites of boxes should be added.³⁵

MR. J. CAMERON suggested that the sum ... [of] £500³⁶ should be given in the large cities.³⁷ That was quite little enough for the Postmasters of Toronto, Hamilton, Montreal and Quebec.³⁸

MR. SEYMOUR deemed £400 high enough.³⁹

MR. COM. CR. LANDS PRICE said that the Inspector General originally fixed the maximum at £500, but that deferring to the opinions of gentlemen opposite, £400 had been adopted, and to that the Government would adhere.⁴⁰

The clause, as proposed by Government, was adopted⁴¹ [and] the maximum salaries of Deputy Postmasters was fixed at £400.⁴²

The clause ... exempting the mails from the payment of tolls, but not carrying above a certain rate [came up.]⁴³

MESSRS. W. BOULTON and H. BOULTON opposed the clause, thinking that when passengers were carried toll ought to be paid. The latter gentleman mentioned the case of a contractor, who was only required to carry the mails certain days of the week, but desired the Postmaster to allow him to do so every day.⁴⁴

MESSRS. BOUTHILLIER, J. SMITH of Durham and ROBINSON, were of the same opinion; but the principle of the clause was supported by MESSRS. SOL. GEN. MACDONALD, H. SMITH of Frontenac, BADGLEY, MCCONNELL, &c.⁴⁵

Eventually the clause was amended on a motion by MR. J. SMITH of Durham, intended to exempt mails from tolls only on such roads as were sold to private Companies by Government, with a special clause providing that they should not take tolls in such cases.⁴⁶

The clause ... relative to the steamers between Montreal and Quebec [came up.]⁴⁷

MR. ROSS wished to call the attention of the hon. Commissioner of Crown Lands, who was conducting the bill, to the fact that the arrangement for carrying mails between Montreal and Quebec was such that letters on their way to Quebec were detained 24 hours in Montreal.⁴⁸ This was a great inconvenience; but he found on application to the Postmaster General that the contracts for the carriage of this mail were taken for four years and could not be altered. He, however, thought the House should alter this.⁴⁹ He had been also told that these parties had an interest in this sort of arrangement so that passengers may be detained in the Hotels all the following day. He concluded by moving that the Postmaster General be authorized to make such arrangements as would obviate such unnecessary delay.⁵⁰

The amendment was supported by MESSRS. H. SHERWOOD, CHABOT, and H. SMITH (Frontenac).⁵¹

MR. COM. CR. LANDS PRICE said there is a subsisting contract made between Mr. Starner and these parties and if they were in any way violating the contract, they ought to be looked after. But if they were acting according to contract then the Post-Master General would require to consider whether the convenience to the public demanded that the contract be annulled and that a new contract should be entered into.⁵²

MR. RICHARDS considered it very inexpedient to introduce such matters into an Act of Parliament. It was a mere departmental arrangement and required to be left to the management of the Post-Master General.⁵³

MR. H. SHERWOOD considered there was great necessity that this matter be inquired into. The mere fact of giving indemnity to these contractors, if necessary, was nothing to the importance of having this matter at once arranged. He was prepared to take the responsibility of indemnifying these contractors so as to make

the change, and the more particularly when the seat of government was to be removed to Quebec.⁵⁴

MR. COM. CR. LANDS PRICE contended that contracts could not be altered by act of Parliament, and therefore the clause could not be allowed; but assured the House that the Postmaster General would do everything he could to accomplish the object.⁵⁵ [He] said from what had been said he was satisfied the Post-Master General would make enquiry into the matter and would see that the evil was remedied.⁵⁶

MR. ROSS said if that was the case he would withdraw his amendment.⁵⁷

MR. CHAUVEAU said if his friend withdrew his amendment, he would press upon the House that means be taken to break that contract at once if necessary.⁵⁸

MR. H. SHERWOOD urged this proposition upon the House, as one of the utmost possible importance.⁵⁹

The amendment was then withdrawn.⁶⁰

The clause relative to the advertisement of dead letters [came up]⁶¹.

MR. MACKENZIE proposed an amendment to the 10th clause which referred to the advertising of unclaimed letters,--to the effect, that all unclaimed letters be advertised in the papers⁶² having the largest circulation in the particular locality.⁶³ He considered that this would be an advantage to Editors, as if upon the understanding that it was given to the paper circulating most widely, the people would at once have a guarantee that the paper that had the advertising was the most widely circulated.⁶⁴

MR. COM. CR. LANDS PRICE alleged that it would be impossible to determine what newspaper had the largest circulation.⁶⁵ [He] wondered if the hon. member for Haldimand was serious in his amendment.⁶⁶

MR. MACKENZIE--much more serious than you have been for many years.⁶⁷

MR. H. SHERWOOD urged the propriety of publishing unclaimed letters in all the newspapers.⁶⁸ That was what private parties did.⁶⁹

MR. MACKENZIE said the thing was absurd, such a system was never attempted under the canopy of Heaven.⁷⁰

MR. H. SMITH of Frontenac, said this was a direct vote of censure on the government, as it struck at the root of the wholesale work of bribery and corruption they have practised ever since they came into power.⁷¹ The very first thing that was done was⁷² the patronage given⁷³ [by] the Inspector General⁷⁴ to Rollo Campbell which enabled him [Mr. H.]⁷⁵ to sell the Pilot to Mr. Campbell. Well, Mr. Campbell got a fat job of printing the Penitentiary Commission Report, and out of that it was understood that he paid for the press and types.⁷⁶ The same was the case with George Brown, who has had all the public patronage for some years, independent of commissionership⁷⁷. [He] had got large sums, first as Penitentiary Commissioner, and then for printing; and he was also told by a member of the ministry that members of the ministry had lent him money out of their own pockets⁷⁸ to enable him to carry on his paper.⁷⁹ Would any of the ministry deny that?⁸⁰ In all other towns in the Province we find those papers who have the government patronage, come out and maintain the government in every measure they bring forward, whether right or wrong.⁸¹

MR. MACKENZIE only moved the amendment because he knew that the present system was a mere affair of bribery, promoting universal servility on the part of the press.⁸²

After some further conversation, the amendment was withdrawn⁸³.

MR. COM. CR. LANDS PRICE moved that the 54th clause be reconsidered, with the view of correcting its construction.⁸⁴

MR. G. SHERWOOD objected to the motion as contrary to order, and called on the Speaker to decide.⁸⁵

MR. MORIN the SPEAKER, being called to the Chair, gave it as his opinion that the motion was not in order, as a Committee of the Whole could not reconsider any clause of a Bill, once proved, without first reading and questioning, in which case the Bill could be recommitted for the specific object in view.⁸⁶

MR. AT. GEN. BALDWIN remarked that the motion was made with a view to facilitate the business of the House, and that the point could be got over by the general consent of the House.⁸⁷

MR. H. SHERWOOD persisted in opposing the motion, and in giving his reasons for so doing, proceeded to discuss the merits of the clause proposed to be amended.⁸⁸

On the motion of MR. COM. CR. LANDS PRICE the Committee rose, reported, and asked leave to sit again.⁸⁹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Fergusson reported, That the Committee had gone through the Bill, and made Amendments thereunto.

Ordered, That the Report be received to-morrow.

Scaling of
the River
St. Maurice.

The Honorable Mr. Price, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Supplementary Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 12th June, 1851, for Copies of the field books, diaries, field notes, and other papers and documents mentioned in the Reports of the scaling of the River St. Maurice, by Hilarion Legendre, sworn Surveyor, from the 15th April to the 2nd May, 1847, and by John Bignell, Provincial Surveyor, on the 26th August, 1847, 11th May, 1848, and 13th November, 1848, and accompanying the said Reports, &c.

Appendix (G.G.G.)

For the said Supplementary Return, see Appendix (G.G.G.)

Municipal Cor-
porations Act
(U.C.) Amend-
ment Bill.

The Order of the day for the House in Committee on the Bill to amend the Upper Canada Municipal Corporations Act of 1849, by adapting the same to the late change in the Upper Canada Assessment Laws and for other purposes relating to the Municipal Corporations of that section of the Province, being

read;

The House accordingly resolved itself into the said Committee.

Mr. Sauvageau took the Chair of the Committee;⁹⁰

MR. H. BOULTON ... renewed ... [his] objections against the clause of the bill requiring a real property qualification in candidates for election to municipal bodies⁹¹ [such as] Town and County Councils; and was supported in his objection by MR. MACKENZIE.⁹²

MR. AT. GEN. BALDWIN, while admitting that the principle was true in the abstract--that the possession of a certain amount of property was no criterion to judge of the common-sense of a candidate--maintained that the property qualification was the best which could be adopted in the present state of society.⁹³ [He] con-

tended that the country was favourable to the principle of property qualification, and that the amount required by this bill was not unreasonable.⁹⁴

MR. SOL. GEN. MACDONALD, without being prepared to abolish all property qualification hailed with satisfaction the growth of opinion in favour of reducing the amount.⁹⁵

MR. G. SHERWOOD ... expressed similar sentiments⁹⁶.

MR. MERRITT thought that a qualification was desirable, in all events until some "constitutional check" be adopted in reference to the expenditure of public money,⁹⁷ recommending that the qualification should be made as low as possible.⁹⁸

MR. H. SHERWOOD insisted that some qualification should be required at the hands of the electors, and if this was done they might safely be left to elect properly qualified representatives. He objected to the exaction of a pecuniary qualification for the latter class.⁹⁹

An amendment by MR. MACKENZIE doing away with the qualification provided in the bill, was negatived on a division.¹⁰⁰

Further conversation occurred in which MESSRS. AT. GEN. BALDWIN, H. SHERWOOD, J. CAMERON, RICHARDS, MACKENZIE, and others took part; and ultimately a schedule of rates was carried¹⁰¹.

The remaining clause having been agreed upon, with amendment, the committee rose.¹⁰²

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sauvageau reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

*Orders of
the day.*

Mr. Malloch moved, seconded by Mr. Sauvageau, and the Question being put, That the remaining Orders of the day be postponed until to-morrow; the House divided:--And it passed

in the Negative.

*The Province
Railway Bill.*

The Order of the day for the second reading of the Bill to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province, being read;

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Macdonald, and the Question being put, That the Bill be now read a second time;¹⁰³

MR. W. BOULTON opposed the motion alleging that many members had left under the belief that a measure would not come at so late an hour.¹⁰⁴

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the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chauveau, Solicitor General Drummond, Fournier, Hincks, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Morrison, Polette, Richards, Sauvageau, Scott of TWO MOUNTAINS, and Taché.--(21.)¹⁰⁵

NAYS.

Messieurs Badgley, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Hall, MacKenzie, Malloch, McFarland, Seymour, and Sherwood of BROCKVILLE.--(10.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Macdonald, and the Question being proposed, That the Bill be committed to a Committee of the whole House for to-morrow;

Mr. Boulton of Toronto moved in amendment to the Question, seconded by Mr. Malloch, That the word "to-morrow" be left out, and the words "Friday next" added instead thereof;

And the Question being put on the Amendment:--It was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be committed to a Committee of the whole House, for Friday next.

Ordered, That the Resolution of this House, of Saturday last, That it is expedient to appropriate a sum of money not exceeding Four millions of pounds currency, towards defraying the share of this Province in the expenses of constructing a main Trunk Line of Railroad from Halifax to Quebec, and of continuing the said main Trunk Line of Railroad from Quebec to the City of Hamilton, or to some other point of junction with the Great Western Railroad; such amount to be raised on security of the Consolidated Revenue Fund, with or without the guarantee of the Imperial Parliament, or on the security of local taxes, be referred to the said Committee.

Adjournment.

Mr. Cauchon moved, seconded by Mr. Lemieux, and the Question being proposed, That when this House doth adjourn, it will adjourn until to-morrow at ten o'clock in the forenoon;

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Mr. Boulton of Toronto moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "That" to the end of the Question be left out, in order to add the words "the remaining Orders of the day be postponed until to-morrow" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bell, Boulton of TORONTO, Burritt, Cameron of CORNWALL, Cayley, Hall, Mackenzie, Malloch, McFarland, Morrison, Richards, Seymour, and Sherwood of BROCKVILLE.--(14.)

NAYS.

Messieurs Bouthillier, Cartier, Cauchon, Chauveau, Fournier, Hincks, Laurin, Lemieux, Letellier, Méthot, Polette, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(15.)

So it passed in the Negative.

And the Question being again proposed, That when this House doth adjourn, it will adjourn until to-morrow at ten o'clock in the forenoon;

Mr. Boulton of Toronto moved, seconded by the Honorable Mr. Cameron of Cornwall, and the Question being put, That this House do now adjourn:--It passed in the Negative.

And the Question being again proposed, That when this House doth adjourn, it will adjourn until to-morrow at ten o'clock in the forenoon;

Mr. Sherwood of Brockville moved in amendment to the Question, seconded by the Honorable Mr. Cameron of Cornwall, That all the words after "That" to the end of the Question be left out, in order to add the words "the remaining Orders of the

day be postponed until to-morrow" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of TORONTO, Burritt, Cameron of CORNWALL, Cayley, Hall, Mackenzie, Malloch, Richards, Seymour, and Sherwood of BROCKVILLE.--(11.)

NAYS.

Messieurs Bouthillier, Cartier, Cauchon, Chauveau, Fournier, Hincks, Laurin, Lemieux, Letellier, Méthot, Morrison, Polette, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(15.)

So it passed in the Negative.

And the Question being again proposed, That when this House doth adjourn, it will adjourn until to-morrow at ten o'clock in the forenoon;

Mr. Boulton of Toronto moved in amendment to the Question, seconded by Mr. Malloch, That all the words after "That" to the end of the Question be left out, in order to add the words the "remaining Orders of the day be postponed until to-morrow" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of TORONTO, Burritt, Cameron of CORNWALL, Cayley, Hall, Mackenzie, Malloch, Richards, Seymour, and Sherwood of BROCKVILLE.--(11.)

NAYS.

Messieurs Bouthillier, Cartier, Cauchon, Chauveau, Fournier, Laurin, Lemieux, Letellier, Méthot, Morrison, Polette, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.--(14.)

So it passed in the Negative.

And the Question being again proposed, That when this House doth adjourn, it will adjourn until to-morrow at ten o'clock in the forenoon;

The Honorable Mr. Cameron of Cornwall moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "That" to the end of the Question be left out, in order to add the words the "remaining Orders of the day be postponed until to-morrow" instead thereof;

And Notice being taken that there was no Quorum:--The names of the Members present were taken down, as follow:--

Mr. Speaker,

Messieurs Bouthillier, Burritt, Cartier, Cauchon, Cayley, Chauveau, Fournier, Hall, Hincks, Laurin, Lemieux, Letellier, Malloch, Méthot, Polette, Scott of TWO MOUNTAINS, Sherwood of TORONTO, and Taché.

And at half-past Twelve o'clock at night, the House was adjourned by Mr. Speaker, without a Question first put.¹⁰⁶

FOOTNOTES: 20 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 21 August 1851, BRITISH COLONIST, 22 August 1851, HAMILTON SPECTATOR, 23 August 1851, MONTREAL GAZETTE, 26 August 1851, PILOT, 28 August 1851, and BATHURST COURIER, 29 August 1851.
2. GLOBE, 21 August 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 22 August 1851, MONTREAL GAZETTE, 26 August 1851, and PILOT, 28 August 1851; GLOBE, 23 August 1851, and BATHURST COURIER, 29 August 1851.
11. BRITISH COLONIST, 22 August 1851.
12. GLOBE, 23 August 1851.
13. IBID.
14. BRITISH COLONIST, 22 August 1851.
15. GLOBE, 23 August 1851.
16. BRITISH COLONIST, 22 August 1851.
17. GLOBE, 23 August 1851.
18. BRITISH COLONIST, 22 August 1851.
19. GLOBE, 23 August 1851.
20. BRITISH COLONIST, 22 August 1851.
21. GLOBE, 23 August 1851.
22. BRITISH COLONIST, 22 August 1851.
23. GLOBE, 23 August 1851.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. BRITISH COLONIST, 22 August 1851.
29. GLOBE, 23 August 1851.
30. BRITISH COLONIST, 22 August 1851.
31. GLOBE, 23 August 1851.
32. BRITISH COLONIST, 22 August 1851.
33. GLOBE, 23 August 1851.
34. IBID.
35. IBID.
36. IBID.
37. BRITISH COLONIST, 22 August 1851.
38. GLOBE, 23 August 1851.
39. IBID.
40. IBID.
41. IBID.
42. BRITISH COLONIST, 22 August 1851.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.

48. GLOBE, 23 August 1851.
49. BRITISH COLONIST, 22 August 1851.
50. GLOBE, 23 August 1851.
51. BRITISH COLONIST, 22 August 1851.
52. GLOBE, 23 August 1851.
53. IBID.
54. IBID.
55. BRITISH COLONIST, 22 August 1851.
56. GLOBE, 23 August 1851.
57. IBID.
58. IBID.
59. IBID.
60. BRITISH COLONIST, 22 August 1851.
61. IBID.
62. GLOBE, 23 August 1851.
63. BRITISH COLONIST, 22 August 1851.
64. GLOBE, 23 August 1851.
65. BRITISH COLONIST, 22 August 1851.
66. GLOBE, 23 August 1851.
67. IBID.
68. IBID.
69. BRITISH COLONIST, 22 August 1851.
70. GLOBE, 23 August 1851.
71. IBID.
72. BRITISH COLONIST, 22 August 1851.
73. GLOBE, 23 August 1851.
74. BRITISH COLONIST, 22 August 1851.
75. GLOBE, 23 August 1851.
76. BRITISH COLONIST, 22 August 1851.
77. GLOBE, 23 August 1851.
78. BRITISH COLONIST, 22 August 1851.
79. GLOBE, 23 August 1851.
80. BRITISH COLONIST, 22 August 1851.
81. GLOBE, 23 August 1851.
82. BRITISH COLONIST, 22 August 1851.
83. IBID.
84. GLOBE, 23 August 1851.
85. IBID.
86. IBID.
87. IBID.
88. IBID.
89. IBID.
90. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 August 1851, MONTREAL GAZETTE, 26 August 1851, and PILOT, 28 August 1851. The following papers reported the debate in partially identical accounts: GLOBE, 23 August 1851, and BATHURST COURIER, 29 August 1851.
91. BRITISH COLONIST, 22 August 1851.
92. GLOBE, 23 August 1851.
93. BRITISH COLONIST, 22 August 1851.
94. GLOBE, 23 August 1851.
95. IBID.
96. BRITISH COLONIST, 22 August 1851.
97. GLOBE, 23 August 1851.
98. BRITISH COLONIST, 22 August 1851.

99. IBID.
100. GLOBE, 23 August 1851.
101. IBID.
102. IBID.
103. The following papers reported the debate on this matter in identical accounts: GLOBE, 23 August 1851, and BATHURST COURIER, 29 August 1851. The following papers noted the debate in identical accounts: BRITISH COLONIST, 22 August 1851, MONTREAL GAZETTE, 26 August 1851, and PILOT, 28 August 1851.
104. GLOBE, 23 August 1851.
105. The following papers noted that 31 members voted for the second reading of this bill: BATHURST COURIER, 22 August 1851, GLOBE, 23 August 1851, MONTREAL GAZETTE, 26 August 1851, PILOT, 28 August 1851, and BATHURST COURIER, 29 August 1851.
106. GLOBE, 23 August 1851, noted that the House "adjourned at half-past eleven", while BATHURST COURIER, 29 August 1851, reported in error that the time of adjournment was "half-past seven."

THURSDAY, 21 AUGUST 1851.

(302)

Parishes Erec-
tion Bill
(L.C.).

ORDERED, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to provide for the erection of Parishes for Civil purposes only in the Seigniory of Argenteuil, in Lower Canada," be now taken

into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 22. Leave out from "upwards" to "and" in line 23.

Press 1, line 24. After "tract" insert "being Protestants."

Press 1, line 25. Leave out "Protestant."

In the Preamble of the Bill:

Press 1, line 3. Leave out from "extent" to "inhabited" in line 7, and insert "which in consequence of their being."

Press 1, line 8. After "Protestants" insert "cannot be erected into separate Parishes under the provisions of the Ordinances of the Legislature of Lower Canada, and Acts of the Parliament of this Province, concerning the erection of Parishes and the building of Churches, Parsonage Houses, and Church Yards in Lower Canada."

Press 1, line 8. After "and" insert "whereas."

Press 1, line 8. Leave out "they" and insert "such tracts."

Press 1, line 11. After "under" insert "the provisions of," and leave out "Ordinance" and insert "Ordinances and Acts."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Scott of Two Mountains do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Scaling of the
River St.
Maurice.

Ordered, That five hundred Copies of the Returns relative to the scaling of the River St. Maurice, which were presented on the 2nd and 20th instant, be printed for the use of the Members of this House.

MR. CAUCHON¹ called attention to the St. Lawrence and Champlain Extension Bill, which had come down from the Legislative Council with² one amendment.³

(302)

St. Lawrence and
Lake Champlain
Railroad Branch
Bill.

Ordered, That the Amendment made by the Legislative Council to the Bill, intituled, "An Act to empower the Company of Proprietors of the Champlain and Saint Lawrence Railroad

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to make a Branch Road, and for other purposes," be now taken into consideration.

The House proceeded accordingly to take the said Amendment into consideration; and the same was read, as followeth:--

Press 2, line 29. After "tolls" insert "And provided also, that the same tolls shall be payable at the same time and under the same circumstances, and in the same rateable proportion for each and every mile of the said conveyance and upon the said Railroad authorized to be constructed in and by the said Acts incorporating the said Company, and upon the said Branch Railroad established by this Act, so that no undue advantage, privilege or monopoly may be afforded to any person or class of persons by any By-Law relating to the tolls or by reason of the said tolls."

And the said Amendment being read a second time;

MR. CAUCHON:--The Legislative Council had put an amendment into the bill obliging the Company to carry at a certain rate per mile. He thought that impracticable [sic], for it would be impossible to charge for miles and half miles. But the matter was this, that the people of St. John's thought the Railway Company desired to make their great terminus at Rouse's Point, so as to divert to that place all the trade now transacted at St. John's. Some arrangement had been come to between the agents of the parties; but in consequence of advices received by the agent for the Champlain Railroad, he was obliged to give up this plan. What he (Mr. C.) now proposed was this, that the House should strike out the whole clause, and let the Company come under the general act which made the Government the arbitrators, with the right to fix the tolls in such circumstances. If this was acceded to, he would apply for a conference. He moved accordingly to strike out the clause.⁴

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On motion of Mr. Cauchon, seconded by the Honorable Mr. Badgley, the Amendments following were made thereunto, viz: by leaving out the words "and in the same rateable proportion for each and every mile of the said conveyance," and by inserting after the word "tolls" in line ult. the words "and that no tolls shall be levied or taken for the transportation of freight and passengers until approved of by the Governor General in Council, nor until after two weekly publications in the Canada Gazette of the By-Law establishing such tolls, and of the Order in Council approving thereof; and that every By-Law of the said Company fixing and regulating tolls shall be subject to revision by the Governor in Council, from time to time, after approval thereof as aforesaid; and after an Order in Council reducing the tolls fixed and regulated by any By-Law shall have been twice published in the Canada Gazette, the tolls mentioned in such Order in Council shall be substituted for those mentioned in such By-Law, so long as such Order in Council remains unrevoked" at the end thereof;

MR. BADGLEY moved another amendment, placing the Champlain Railroad under the operation of the general Railroad Act.⁵

After some remarks by MR. H. SMITH of Frontenac and others, MR. CAUCHON withdrew his motion and Mr. Badgley's was⁶ carried--to the effect of declaring directly that the tolls should be fixed as provided by the general Act.⁷

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And the said Amendment, so amended, was agreed to.

Ordered, That Mr. Cauchon do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendment, with Amendments, to which they desire their concurrence.⁸

The Legislative Council here sent word agreeing to the Act to repeal the Act to prevent Party Processions.⁹

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Message from
the Council.

*A Message from the Legislative Council; by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,*

Party Processions Act
Repeal Bill.

The Legislative Council have passed the Bill, intituled, "An Act to repeal the Act of the Seventh Victoria, chapter six, intituled, 'An Act to restrain Party Processions in certain cases,'" without any Amendment.

And then he withdrew.

Message from
His Excellency.

The Honorable Mr. Price, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excel-

lency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Clergy ELGIN and KINCARDINE.
Reserves.

The Governor General transmits for the information of the Legislative Assembly, the accompanying Copy of a Despatch from the Secretary of State, acknowledging the receipt of the Address of the House to Her Majesty on the subject of the Clergy Reserves.

Government House,

Toronto, 21st August, 1851.

(Copy.)--No. 628.

Downing Street, 28th July, 1851.

My Lord,--I have to acknowledge the receipt of Your Lordship's Despatch, No. 89, of the 5th instant, enclosing an Address from the Legislative Assembly of Canada on the subject of the Clergy Reserves.

I have to instruct Your Lordship to inform the House, that I have laid their Address before the Queen, and that Her Majesty was pleased to receive it very graciously. My Despatch, No. 617, of the 11th instant, will have placed Your Lordship in possession of the reasons which have compelled Her Majesty's Government to postpone the introduction of the intended Bill on this subject, into the Imperial Parliament.

I have, &c.,

(Signed,)

GREY.

Right Honorable

The Earl of Elgin.

Ordered, That the said Message and Despatch be printed for the use of the Members of this House.

Burlington
Ladies' Acad-
emy Bill.

The Order of the day for the third reading of the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Burlington Ladies' Academy," being read;

Ordered, That the Bill be read the third time on Monday next.

Freedom of
Banking Bill.

An engrossed Bill to amend the Act to establish Freedom of Banking in this Province, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Local Police
Force Bill.

The Order of the day for the third reading of the engrossed Bill to authorize the employment of Military Pensioners and others as a Local Police Force, being read;

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Macdonald, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Christie, Dickson, Fergusson, Fournier, Fourquin, Gugy, Hincks, Lacoste, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, McConnell, Méthot, Meyers, Mongenais, Price, Prince, Richards, Ross, Sanborn, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, Viger, and Wilson.--(35.)

NAYS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Hopkins, Mackenzie, Malloch, McFarland, Merritt, Notman, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, Smith of FRONTENAC, and Stevenson.--(14.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

The Honorable Mr. Boulton moved, seconded by Mr. Hopkins, and the Question being put, That the following engrossed Proviso be added to the Bill by way of Rider, and do follow and make part of the first Clause thereof: "Provided always, that the said Pensioners so to be embodied as aforesaid, shall not be called out into active service, except for the suppression of Riots along the line of and for the protection of Public Works then in a course of construction, and then only at the cost of the Company or public authority carrying on such Works:" the House divided: and the names being called for, they were taken down, as follow:--

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YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Dickson, Hopkins, Malloch, McFarland, Merritt, Notman, Robinson, Seymour, Smith of DURHAM, Smith of FRONTENAC, and Stevenson.--(13.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Cartier, Cauchon, Cayley, Chabot, Christie, Fergusson, Fournier, Fourquin, Gugy, Hincks, Lacoste, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McConnell, Méthot, Meyers, Mongenais, Price, Prince, Richards, Sanborn, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, Viger, and Wilson.--(33.)

So it passed in the Negative.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to Chartered
Banks.

An engrossed Bill to exempt the several Chartered Banks from the Tax on their Circulation, on certain conditions, was, according to Order, read the third time.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Macdonald, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bell, Boulton of NORFOLK, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Christie, Dickson, Fergusson, Fortier, Fournier, Fourquin, Hincks, Lacoste, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Malloch, McFarland, Merritt, Méthot, Meyers, Mongenais, Notman, Price, Prince, Richards, Robinson, Ross, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of DURHAM, Smith of WENTWORTH, Taché, and Wilson.--(41.)

NAYS.

Messieurs Boulton of TORONTO, Hopkins, Mackenzie, Seymour, Smith of FRONTENAC, and Stevenson.--(6.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Emigrant Act
Amendment Bill.

An engrossed Bill to amend the Emigrant Act, by reducing the Tax on Emigrants coming into this Province, and for other

purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to Recorders'
Courts, (U.C.).

An engrossed Bill to authorize the payment of certain expenses of the Administration of Justice in the Recorders' Courts in Upper Canada, out of the Consolidated Revenue Fund of this Province, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

On motion of the Honorable Mr. Boulton, seconded by Mr. Dickson,

Law of Dower
(U.C.) Amend-
ment Bill.

Ordered, That the engrossed Bill from the Legislative Council, intituled, "An Act to amend the Law of Dower in Upper Canada," be read a second time to-morrow.

Port Burwell
Harbour Com-
pany Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend the Act incorporating the Port Burwell Harbour Company," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 24. After "one" insert "half."

Press 1, line 25. Leave out from "shilling" to "on" in line 36.

Press 1, line 26. Leave out from "penny" where it occurs the first time, to "per."

Press 1, line 27. After "measure" insert "Boards, Planks, and Deals, six-pence per thousand feet, Board measure."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Notman do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Fort Erie
and Buffalo
Suspension
Bridge Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate the Fort Erie and Buffalo Suspension Bridge Company," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 27. After "Bridge" insert "and Tunnel."

Press 1, line 30. After "River" insert "or a Tunnel under the same."

Press 1, line 46. After "Bridge" insert "and Tunnel."

Press 2, line 4. After "Bridge" insert "or Tunnel."

Press 3, line 41. Leave out from "of" to "the" in line 42, and insert "a Bridge over, or a Tunnel under."

Press 3, line 42. After "River" insert "at the said place."

Press 3, line 46. After "Bridge" insert "or Tunnel."

Press 4, line 3. After "Bridge" insert "or Tunnel."

Press 4, line 18. After "Bridge" insert "or Tunnel."

Press 4, line 32. After "Bridge" insert "or Tunnel."

Press 4, line 36. After "Bridge" insert "or Tunnel."

Press 5, line 1. After "Bridge" insert "or Tunnel."

Press 5, line 6. After "Bridge" insert "or Tunnel."

Press 6, line 2. After "Bridge" insert "or Tunnel."

Press 6, line 33. After "Bridge" insert "or Tunnel."

In the Preamble of the Bill:

Press 1, line 6. After "River" insert "or a Tunnel under the same."

Press 1, line 11. After "Bridge" insert "or Tunnel."

In the Title of the Bill:

Line 2. After "Bridge" insert "and Tunnel."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. McFarland do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

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Canada West
Farmers' Mutual
and Stock In-
surance Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to incorporate 'The Canada West Farmers' Mutual and Stock Insurance Company,'" be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 6, line 14. After "County" insert "of Wentworth."

Press 8, line 15. Leave out from "them" to "and" in line 19.

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Badgley do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Hamilton Dry
Dock Bill.

Ordered, That the Bill to revive the Charter of the Hamilton Dry Dock Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for to-morrow.

Seigniorial
Tenure.

Ordered, That the Petition of the Honorable L.M. Viger and others, Members of this House, Proprietors of Fiefs and Seigniories in Lower Canada, and all other Petitions presented to this House since the 15th instant, on the subject of the Seigniorial Tenure, be printed for the use of the Members of this House.

Preservation
of the Peace.

Mr. Solicitor General Drummond moved, seconded by the Honorable Mr. Hincks, That this House will immediately resolve itself into a Committee, to consider the expediency of making provision for the preservation of the Peace in the neighbourhood of Railways, Canals, and other Works undertaken by Private Corporations;

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject matter of this Motion, recommends it to the consideration of the House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Mongenais took the Chair of the Committee;¹⁰

MR. MERRITT opposed the measure as altogether needless.¹¹

MR. MACKENZIE followed on the same side.¹² [He] considered that it was unnecessary to employ any special force on these works, and that the ordinary civil power was sufficient for the purpose.¹³ [He] went on to assail the general policy of

the government on this and other questions. He censured them for putting into the Governor General's mouth at the opening of the session a speech remarkable for nothing but brevity and vagueness, giving the idea of the measures they intended to introduce. One by one they had brought in bills of a most abominable character--some of them giving fresh power to ecclesiastical monopoly, others wasting the public money, and others levelled at the liberties of the people. Amongst the last class was the present bill, which was of the most intolerable character.¹⁴

MR. SOL. GEN. DRUMMOND said the object of the bill was not to oppress but to protect society. The experience of both Upper and Lower Canada was sufficient to show that the local authorities were far from being uniformly equal to the preservation of the public peace. In proof of this, he pointed particularly to Dundas and other places on the line of the Great Western Railway, where disturbances of a most serious nature had taken place again and again.¹⁵

MR. NOTMAN corroborated the Solicitor General's remarks¹⁶. [He] declared the bill most necessary¹⁷ and thanked him for bringing ... [it in].¹⁸ On the lines of the Great Western Railway, great disorders are going on.¹⁹ He knew of his own knowledge that life and property were insecure at Dundas, in consequence of the inability of the local authorities to cope with the rioters who are congregated in that locality in connection with the works on the railway.²⁰ Thefts and arson were constantly taking place, especially of fire arms. The men engaged on the works were constantly armed, and²¹ he had seen bodies of two or three hundred men, armed with sticks and clubs, bidding defiance to the magistrates, the police and the inhabitants²² in the streets of Dundas. At Capetown, a few days ago a man was arrested on these works, and his comrades threw down their picks and insisted on his release by threatening to fire on the constables. A woman too had come into Dundas with a child on her arms, whose leg had been run through by these fellows with a bayonet.²³ To such a state had matters arisen, that the officers of justice were unable to issue warrants against any of the rioters; and if any of the farmers interfered, their barns and property were injured or destroyed.²⁴ Unless protection were afforded, these disorders would continue until the farmers' sons turned out en masse, and something would happen which would create regret.²⁵ In such circumstances, he hailed this bill as a great boon.²⁶

MR. MCCONNELL spoke as to the need of such a measure in Lower Canada.²⁷

DR. BOUTHILLIER expressed [a] similar [opinion]²⁸.

The bill passed through committee.²⁹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Mongenais reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

Bill relating
to Patents for
Inventions.

Mr. Bouthillier reported the Bill to enable parties holding Patents for Inventions confined to one Section of this Province, to obtain the extension of the same to the other Section thereof, and for other purposes therein mentioned; and the amendments

were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Municipal Cor-
porations Act
(U.C.) Amend-
ment Bill.

Mr. Sauvageau reported the Bill to amend the Upper Canada Municipal Corporations Act of 1849, by adapting the same to the late change in the Upper Canada Assessment Law, and for other purposes relating to the Municipal Corporations of that section of the Province; and the amendments were read.

The Honorable Mr. Baldwin moved, seconded by the Honorable Mr. Price, and the Question being proposed, That the amendments be now read a second time;

Mr. Richards moved in amendment to the Question, seconded by Mr. Smith of Durham, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be now recommitted for the purpose of adding the three following Clauses thereunto:--

"And be it enacted, That it shall be lawful for the freeholders and householders of any Township or Union of Townships for the year next previous to that in which the application shall be made to apply by Petition in writing to the Municipality of such Township, praying that such Township or Union of Townships, if not then already divided into rural wards, may be so divided, or if such Township or Union of Townships be then so divided, then praying that such division into rural wards may be abolished. And in every such case it shall be the duty of such Municipality to pass a By-Law in the former case, dividing such Township or Union of Townships into rural wards in the manner prescribed in and by the fourth section of the Municipal Corporation Act of 1849, and in the latter case abolishing the then existing division of such Township or Union of Townships into wards: Provided always, nevertheless, firstly, that every such By-Law made in pursuance of this Section shall contain a recital of the Petition on which it was founded, and of the same having been passed in compliance with the prayer of such Petition, and the directions of this Section: And provided also, secondly, that every such By-Law shall contain a Clause limiting the same to take effect and come into operation on the first day of December next but one after the same shall have been passed, in case a majority of the freeholders and householders of such Township or Union of Townships entitled to vote at the general annual Municipal Election for such Township, at the general annual Municipal Election for the same to be held for the year in which such By-Law shall be limited, to take effect and come into operation, shall, in addition to all other votes given by them at such Election, vote for such dividing into wards, or the abolishing of the dividing into wards, as hereinafter provided: Provided also, thirdly, that it shall not be obligatory upon any such Municipality to pass any such By-Law in compliance with such Petition, unless such Petition shall be signed by a majority of the freeholders and householders appearing on the Collector's Roll of such Township or Union of Townships for the year preceding that in which the same shall be presented: And provided also, fourthly, that such By-Law need not be passed by a vote of four-fifths of the Members for the time being of such Municipality, as required by the eighth section of the Municipal Corporation Act of 1849, but by a majority thereof.

"And be it enacted, That it shall be the duty of the Town Reeve of every such Township or Union of Townships, the Municipality of which shall have passed any such By-Law as is mentioned in the next preceding Section of this Act, to cause a certified copy of such By-Law to be delivered to the Returning Officer, or if such Township or Union of Townships shall be divided into wards, then to each of the Returning Officers whose duty it shall be to hold the general annual Municipal Elections for such Township or Union of Townships for the year in which such By-Law is so limited to take effect as aforesaid. And it shall thereupon be the duty of every such Returning Officer to insert appropriate columns in his Poll Book, headed: 'For the division into wards:' 'Against the division into wards:' 'For the abolishing of wards:' 'Against the abolishing of wards,' as may be necessary, and while the Poll for the Election of Township Councillors shall remain open according

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to law, to receive and record the votes of those entitled to vote for Township Councillors at such Election for and against such project as the same may be tendered to him in that behalf: Provided nevertheless, firstly, that when such By-Law shall be for dividing such Township or Union of Townships into wards, it shall be the duty of every such Returning Officer to have fair copies of such By-Law put up in at least four conspicuous places in and about the place where such Poll shall be held, so that the same may be open to the inspection of the public: And provided always, also, that in every such case it shall be the duty of the Town Reeve of such Township or Union of Townships, within one month after his election, to examine the Returns of such Poll as respects the votes for and against such proposition, and to give public notice of the result, that such By-Law will or will not take effect accordingly on the first day of December then following, according as he shall find that there was a majority of votes for or against such proposition.

"And be it enacted, That after any such By-Law as is referred to in the two next preceding Sections, shall have taken effect in the manner therein provided, it shall not be in the power of the Municipality of such Township or Union of Townships to repeal or alter the same, except by a By-Law to be passed upon a similar Petition from a majority of the freeholders and householders whose names are on the Collector's Roll of such Township or Union of Townships, and unless such proposed repeal or alteration shall be approved of by the votes of a majority of the Municipal Electors of such Township or Union of Townships, at a general annual Municipal Election for the same, agreeably to the provisions of the said two Sections hereinbefore provided with respect to such original By-Law for dividing or abolishing of divisions into wards respectively."

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Hopkins, Mackenzie, Merritt, Prince, Richards, Sanborn, Seymour, and Smith of DURHAM.--(12.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bouthillier, Cameron of CORNWALL, Cartier, Cauchon, Cayley, Chabot, Christie, Dickson, Solicitor General Drummond, Fergusson, Fournier, Fourquin, Hall, Attorney General LaFontaine, LaTerrière, Laurin, Malloch, Méthot, Mongenais, Polette, Price, and Sherwood of BROCKVILLE.--(25.)

So it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Richards moved in amendment to the Question, seconded by Mr. Smith of Durham, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be now recommitted for the purpose of adding the three following Clauses thereto:--

"And be it enacted, That it shall be lawful for the freeholders and householders of any Township or Union of Townships, whose names were on the Collector's Roll of such Township or Union of Townships for the year next previous to that in which the application shall be made, to apply by Petition in writing to the Municipality of such Township or Union of Townships, praying that such Township or Union of Townships if not then already divided into rural wards, may be so divided, or if such Township or Union of Townships be then so divided, then praying that such division into rural wards may be abolished. And in every such case it shall be the duty of such Municipality to pass a By-Law in the former case, dividing such Township or Union of Townships into rural wards in the manner prescribed in and by the fourth section of the Municipal Corporation Act of 1849, and in the latter case abolishing

the then existing division of such Township or Union of Townships into wards: Provided always, nevertheless, firstly, that every such By-Law made in pursuance of this Section shall contain a recital of the Petition on which it was founded, and of the same having been passed in compliance with the prayer of such Petition, and the directions of this Section: And provided also, secondly, that every such By-Law shall contain a clause limiting the same to effect and come into operation on the first day of December next but not after the same shall have been passed, and in case of the proceeding being taken for dividing into wards, such By-Law shall not be passed, nor such division into wards take place, unless a majority of the freeholders and householders of such Township or Union of Townships entitled to vote at the general annual Municipal Election for such Township or Union of Townships, at the general annual Municipal Election for the same to be held for the year in which such By-Law shall be so limited to take effect and come into operation, shall, in addition to all other votes given by them at such Election, vote for such dividing into wards, and unless a majority of two-thirds of such Electors shall have voted at the election for, or the abolishing of the dividing into wards as hereinafter provided when the proceeding is taken for abolishing such divisions into wards: Provided also, thirdly, that it shall not be obligatory upon any such Municipality to pass any such By-Law in compliance with such Petition, unless the number of freeholders and householders so petitioning for division shall amount to a majority, and in case of a proceeding to abolish such division into wards, unless the parties signing such Petition shall amount to two-thirds at least of all the freeholders and householders appearing on the Collector's Roll of such Township or Union of Townships for the year preceding that in which such Petition shall be presented: And provided also, fourthly, that such By-Law need not be passed by a vote of four-fifths of the members for the time being, of such Municipality, as required by the eighth section of the Municipal Corporation Act of 1849, but by a majority thereof.

"And be it enacted, That it shall be the duty of the Town Reeve of every such Township or Union of Townships, the Municipality of which shall have passed any such By-Law as is mentioned in the next preceding Section of this Act, to cause a certified copy of such By-Law to be delivered to the Returning Officer, or if such Township or Union of Townships shall be divided into wards, then to each of the Returning Officers whose duty it shall be to hold the general annual Municipal Elections for such Townships or Union of Townships, for the year in which such By-Law is so limited to take effect as aforesaid. And it shall thereupon be the duty of every such Returning Officer to insert appropriate columns in his Poll Book, headed: 'For the division into wards:' 'Against the division into wards:' 'For the abolishing of wards:' 'Against the abolishing of wards,' as may be necessary, and while the Poll for the Election of Township Councillors shall remain open according to law, to receive and record the votes of those entitled to vote for Town-

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ship Councillors at such Election for and against such project as the same may be tendered to him in that behalf: Provided nevertheless, firstly, that when such By-Law shall be for dividing such Township or Union of Townships into wards, it shall be the duty of every such Returning Officer to have fair copies of such By-Law put up in at least four conspicuous places in and about the place where such Poll shall be held, so that the same may be open to the inspection of the public: And provided always, also, that in every such case it shall be the duty of the Town Reeve of such Township or Union of Townships, within one month after his election, to examine the Returns of such Poll as respects the votes for and against such proposition, and to give public notice of the result, that such By-Law will or will not take effect accordingly on the first day of December then following, according as he shall find that there was or was not the necessary number of votes to give effect to the same.

"And be it enacted, That after any such By-Law as is referred to in the two next preceding Sections, shall have taken effect in the manner therein provided, it shall not be in the power of the Municipality of such Township or Union of Townships to repeal or alter the same, except by a By-Law to be passed upon a similar Petition from two-thirds at least of the freeholders and householders whose names are on the Collector's Roll of such Township or Union of Townships, and unless such proposed repeal or alteration shall be approved of by the votes of two-thirds at least of the Municipal Electors of such Township or Union of Townships at a general annual Municipal Election for the same, agreeably to the provisions of the said two Sections hereinbefore provided, with respect to such original By-Law for dividing or abolishing of divisions into wards respectively."

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Sherwood of Brockville moved in amendment to the Question, seconded by Mr. Dickson, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be recommitted, with an Instruction to the Committee to amend the fourth column of Schedule A. Number 10, by making the qualification of voters Three pounds annual value, whether freeholders or householders, and by making the qualification of Councillors uniform both for freeholders and householders, by fixing the same at Twenty-five pounds annual value' instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Burritt, Cayley, Christie, Dickson, Fergusson, Hall, Hopkins, Mackenzie, Merritt, Prince, Richards, Sanborn, Sherwood of BROCKVILLE, and Smith of DURHAM.--(17.)

NAYS.

Messieurs Baldwin, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Solicitor General Drummond, Fournier, Fourquin, Guy, Attorney General LaFontaine, LaTerrière, Laurin, Solicitor General Macdonald, Malloch, Méthot, Mongenais, Polette, Price, Seymour, and Stevenson.--(20.)

So it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;³⁰

MR. HOPKINS said in some places, township councillors provide by a By-law for remunerating themselves; in other places doubts are entertained as to the right to do so. For that purpose it was desirable that the doubt should be removed.³¹

COL. PRINCE said almost all municipal councils have taken upon themselves to pay their expenses under an honest conviction that they had a right to do so. As a lawyer he had expressed the opinion that they had the right. There seems, however, a doubt in the mind of the Attorney General whether township councillors should be so remunerated, and from that doubt, it was advisable that the report be referred, as it would not detain the Committee many minutes. The Councillors were put to expense in transacting the public business, and he was clearly of opinion that public men should be remunerated for their labour.³²

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Mr. Prince moved in amendment to the Question, seconded by Mr. Hopkins, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be now recommitted, to remove all doubts as to the power of

Township Councillors to provide the means for paying themselves their reasonable expenses in attending their respective Councils from time to time" instead thereof;

MR. W. BOULTON supported the amendment. He stated that the amendment was already adopted in Montreal and he considered the principle was correct.³³

MR. AT. GEN. BALDWIN opposed the amendment as he had framed the bill according to the expressed wishes of the people. At the same time this was his original idea.³⁴

MR. MERRITT thought the effect of the amendment would be to retard the bill. He was in favour of the principle, but in the present instance he would vote against it.³⁵

MR. INSP. GEN. HINCKS said there were no petitions against the present system, and because the hon. member for Toronto and the hon. member for Haldimand were of this opinion, that was no reason why the whole opinions of the country should be changed to meet the wishes of these hon. gentlemen.³⁶

MR. H. SHERWOOD never heard from his constituents any wish that such a change may be made, and even [if] they express such a desire he would vote against this proposition.³⁷

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of TORONTO, Burritt, Christie, Fergusson, Hopkins, Malloch, Prince, Richards, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, and Smith of WENTWORTH.--(14.)

NAYS.

Messieurs Baldwin, Cartier, Cauchon, Chabot, Dickson, Solicitor General Drummond, Duchesnay, Fournier, Fourquin, Gugy, Hall, Hincks, LaTerrière, Laurin, Solicitor General Macdonald, Mackenzie, Merritt, Méthot, Meyers, Mongenais, Polette, Price, Sanborn, Sauvageau, and Stevenson.--(25.)

So it passed in the Negative.

And the Question being proposed, That the amendments be now read a second time;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Boulton of Toronto, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be now recommitted, in order that all those parts of Schedule A, which restrict or prevent the qualified Electors in any Township, City, Town or Village, from selecting freely from among their own number resident in such Township, City, Town or Village, any qualified Elector who can command a majority of votes for the office of Alderman, Councilman, or Councillor, may be left out, thereby affirming the principle that there ought not to be a higher pecuniary qualification required from the persons who are chosen than from those in whom the law reposes the right of making a choice" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Burritt, Christie, Fergusson, Hall, Hopkins, Mackenzie, Merritt, Prince, Smith of DURHAM, and Smith of WENTWORTH.--(12.)

NAYS.

Messieurs Badgley, Baldwin, Cartier, Cauchon, Chabot, Chauveau, Dickson, Solic-

itor General Drummond, Duchesnay, Fournier, Fourquin, Gugy, Hincks, LaTerrière, Laurin, Solicitor General Macdonald, Malloch, Méthot, Meyers, Mongenais, Polette, Price, Richards, Sauvageau, Seymour, Sherwood of BROCKVILLE, and Stevenson.--(27.)
So it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Richards moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be recommitted, in order to amend the fourth column of Schedule A, Numbers 9 and 10, by reducing the qualification of votes for Councillors in Villages, to Two pounds, and in Towns to Four pounds ten shillings annual value" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Boulton of Toronto, That all the words after "That" to the end of the Question be left out,

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in order to add the words, "the Bill be recommitted, in order that the words 'that the Mayor of every such City shall be elected by the Aldermen and Councillors of said City, from among the Aldermen thereof,' may be left out of the fourth column of Schedule A, Number 12, and the words 'that the Mayor of such City shall be elected by the votes of a majority of the qualified Electors thereof'" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, and Mackenzie.--(2.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Burritt, Cartier, Chauveau, Dickson, Solicitor General Drummond, Fergusson, Fournier, Fourquin, Gugy, Hall, Hincks, LaTerrière, Laurin, Solicitor General Macdonald, Malloch, Merritt, Meyers, Price, Richards, Robinson, Sanborn, Seymour, Sherwood of TORONTO, Smith of DURHAM, Smith of WENT-WORTH, and Taché.--(29.)³⁸

So it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Richards moved in amendment to the Question, seconded by Mr. Burritt, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be recommitted, for the purpose of inserting the following in Schedule A, between Numbers 4 and 5:--

"Township Officers whatsoever.	12 <u>Vic.</u> cap. 81, sec. 31, sub-sec. 8.	For settling and paying a rate at which the Township Councillors forming the Municipal Council of each Township shall be remunerated for their attendance at such Coun- cil: Provided that no By-Law to be passed for this purpose shall be valid unless the same shall by the terms of it be limited to take effect two whole years at least from the passing thereof."
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And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put;

Ordered, That the amendments be now read a second time.

And the amendments as far as Clause (C.) being read a second time, were agreed to.

Clause (C.) The next amendment, being read a second time, as followeth:--"And be it enacted, that whenever any By-Law, Order, or Resolution shall be or has been passed or adopted by any Municipality whatever, and such By-Law, Order, or Resolution has been or shall be quashed or declared illegal or void by any Court having competent jurisdiction therein, the Municipality by which such By-Law, Order, or Resolution, has been or shall be passed, shall alone be responsible in damages for any act or acts done or committed under such By-Law, Order, or Resolution, and any Clerk, Constable, or other officer acting thereunder shall be freed and discharged from any action, or cause of action which shall accrue or may have accrued to any person or persons by reason of such By-Law being illegal and void, or having been quashed, and such Municipality shall pay all costs and expenses attending the quashing of any such By-Law."

On motion of Mr. Boulton of Toronto, seconded by the Honorable Mr. Baldwin, the said amendment was amended, by adding the words "And the Superior Courts of Common Law shall also have full power and authority to grant or refuse costs in their discretion in any case in which application shall be or may have been made for any writ of Mandamus for or against any Municipal Corporation, which costs, when granted to either party, shall be taxed and allowed in the same manner as between party and party" at the end thereof;

The said amendment, so amended, was then agreed to.

Then the amendments, as far as the twenty-eighth of the amendments, being read a second time, were agreed to.

The twenty-eighth amendment being read a second time, as followeth:--

Schedule A, No. 12, column four, line 54. After "amount of" insert "ten."

On motion of the Honorable Mr. Hincks, seconded by Mr. Richards, the said amendment was amended, by leaving out the word "ten" and inserting the word "eight" instead thereof;

The said amendment, so amended, was then agreed to.

The residue of the amendments, being read a second time, were agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time, to-morrow.

Normal School
Bill (L.C.).

The Order of the day for the second reading of the Bill to provide for the establishment of a Normal School, and further to promote Education in Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for to-morrow.

Civil List Act.

The Order of the day for the House in Committee to consider the expediency of amending the Act granting a Civil List to Her Majesty, (9 Vic. cap. 114,) and also the Acts 12 Vic. caps. 63 and 64, with a view to the reduction of certain Items in the Schedule to the said first mentioned Act; and also to provide for the Salaries of the Speakers of the two Houses of the Provincial Legislature, being read;

The House accordingly resolved itself into the said Committee.

Mr. McFarland took the Chair of the Committee;³⁹

MR. INSP. GEN. HINCKS made some explanations of the Government plan of retrenchment; but in nearly the same words often before reported. The first resolution had

reference to Judges' salaries. Chief-Justices [were] to be reduced from £1250 to £900 a-year⁴⁰--this was a reduction [of] £350; the new Chancellor to £900 and the salaries of the Puisne Judges⁴¹ from £1000 to £800.⁴² At the same time⁴³, the operation of the resolution [was] to be prospective, except he explained, in the case of one of the Judges in the Court of Chancery who had been appointed since the last session of Parliament, and the report of the Retrenchment Committee.⁴⁴ It was considered by the government that it would be a breach of faith to make the reduction apply to the present holders of these offices. Such a course, he conceived would be contrary to all moral right. With these remarks he would move the first resolution in accordance with the above.⁴⁵

MR. CAYLEY said that in the absence of the gallant Knight--the member for Hamilton,⁴⁶ Sir Allan McNab⁴⁷, he would move the resolutions in amendment to the present, of which notice had been given by that hon. member.⁴⁸ The resolutions before the House were the grand scheme of Retrenchment⁴⁹ so long promised by the⁵⁰ Reform Government of which they had heard so much.⁵¹ (Hear, hear)⁵². The hon. member went on to ridicule this scheme in a very sarcastic⁵³ [and] bitter⁵⁴ manner, contending that it was contemptible and trifling with the country. It was putting on £100 at the commencement of the four years, and at the end of them taking off £50. The hon. member went into the history of the different reductions that had been made.⁵⁵ When the present Administration came into power in 1848, they had no retrenchment to propose. In 1849, instead of retrenching they increased the Civil list. In 1850 they attempted retrenchment without success and now in 1851 they came forward with a proposal to take off what they had put on in 1849. The hon. gentleman then laid before the House the resolution of Sir A. McNab to the effect⁵⁶ that the scheme of retrenchment should be a scheme of economy, to be applied to all the departments⁵⁷ of public service--not confining the retrenchments to any particular department⁵⁸ of the Government.--The simplification of the mechanism; an adjustment of the salaries of all public officers according to the nature of the services rendered.--That the resolutions now submitted to the Committee by the Government are founded on no principle; and that the retrenchment proposed by them is insignificant, and that notwithstanding the resolution of the Retrenchment Committee, that the salary of the Governor General should be reduced to a sum proportioned to the resources and population of the Province, it is not expedient to take any action in this matter, in view of the announcement of the Secretary of State, that this salary would be made a charge on the Imperial Treasury.⁵⁹

MR. INSP. GEN. HINCKS generally replied, stating that Mr. Cayley's proposition and argument were entirely unworthy of a conservative statesman.⁶⁰ [He] defended the course pursued by the government and referred particularly to his own office, the salary attached to which when he came to office was £1222, which was reduced to £1000. It was now proposed to reduce the office to £800. He complained of the general nature of the resolutions in amendment.--Why did not the gentleman opposite, bring forward such a retrenchment scheme as they now propose? They desire it to go to the country that they are the only members of the Legislature that wish to effect the reduction of expenditure; but they have not brought forward any definite plan to be pursued.⁶¹ He then went over Mr. Merritt's scheme, arguing that it would give general dissatisfaction to the Province.⁶² He referred to the proposition of the member for Lincoln, that the ports of entry to the country should be abolished. On this point he was ready to go before the country with the hon. member. Not one member of the finance Committee of last year had subscribed to their views--not even the hon. member for Norfolk. The whole scheme is based on the principle of direct Taxation. If he supposed that that scheme was practicable he might not be much opposed to it; but he could not perceive that there was any retrenchment in it. You might raise the revenue by direct taxation, but this could not be called retrenchment. Retrenchment was the reduction of public salaries.

These resolutions proposed by the Government were carrying out the views of the Finance Committee. (Hear, hear.) He would ask the hon. gentleman what had been neglected in the present resolutions.⁶³

MR. H. BOULTON--The Governor General's salary.⁶⁴

MR. INSP. GEN. HINCKS--the hon. gentleman might sneer at the promise given by the Imperial Government that the expense of this salary was to be borne out of the Imperial Treasury.⁶⁵

MR. H. BOULTON wished the hon. gentleman to remember that he had himself been sneered at on making this proposal on a former occasion.⁶⁶

MR. INSP. GEN. HINCKS was still of opinion that the salary should be borne by the Province.⁶⁷ He had no hesitation in stating that the whole noise that had been raised regarding it was of the most insignificant kind; and, he desired to record his opinion in the prediction that this province would yet regret having raised the question of the reduction of the Governor General's salary.⁶⁸ He considered that it was an unfortunate mistake, placing this part of the expenditure of the Province on the Imperial Treasury.⁶⁹ Our expenses were much less now than they could be if we paid for our own defences; and less than they would be if we were an independent nation or formed a part of the confederation across the lines.⁷⁰ In regard to the resolutions proposed in amendment, they did not disagree with the proposal in the despatch of Earl Grey on this subject; but until something more definite was communicated from the Imperial Government, it was inexpedient to dwell on the present subject.⁷¹ He went on generally commenting on the subject of retrenchment, and taunting members opposite with having failed to bring forward any comprehensive scheme.⁷² Such members as the member for Halton who said he came to the House to effect Retrenchment, were prepared to cut down salaries without⁷³ the least enquiry if the effect would not be disastrous to the public service.⁷⁴ This was not the course pursued by England. There the Commissioners of Finance examined witnesses as to the nature of the duties performed by the holders of the different offices proposed to be reduced. Such a course was the only proper one to be followed by any Finance Committee with due regard to the efficiency of the service as well as the Retrenchment of the public expenditure.⁷⁵

MR. CAYLEY, replied to the latter part of the charge, bitterly taunting the Government with a former promise to propose a scheme of retrenchment in answer to [a] proposition of his (Mr. Cayley) to propose a scheme. The Government scheme he was told was in course of preparation by the hon. member for Lincoln, but where was it now?⁷⁶ [He] explained his previous remarks, and reiterated his charges against the Government and his objections to their scheme.⁷⁷

MR. H. SHERWOOD followed, also replying to Mr. Hinck's charge⁷⁸. As a member of the Finance Committee, [he] vindicated that body from the charge of having neglected their duty, or having performed it inefficiently. He believed they entered on the investigation with a sincere desire to carry out retrenchment to the greatest extent consistent with the public interest. He reviewed the course that he and his friends⁷⁹ had⁸⁰ pursued at the commencement of the committee's investigations, charging the Inspector General, (a member of the Committee) with having endeavoured to ward off retrenchment by proposing insignificant enquiries; while he (Mr. S.) and his friends desired to begin at the head of the Civil List.⁸¹ He then went over the whole history of the resolution relative to the reduction of the Governor General's salary; and its reversal through the influence of the Inspector General.⁸² When the Government plan was promulgated this session, he was surprised to find that they had adopted the very idea which the Inspector General had scouted in Committee.⁸³ He went on to contend that the retrenchment now proposed by the resolutions under consideration were ridiculous, and entirely incom-

mensurate with the demands of the people.⁸⁴ After all, the scheme now before the House, would fail to satisfy the country. The great body of the people demanded a searching investigation into the management of the department, and they would not be satisfied by being told that the salaries of the judges had been clipped to a small extent.⁸⁵ With respect to the Governor General he⁸⁶ regarded⁸⁷ him as an Imperial Officer⁸⁸, sent here to protect the Imperial interests, and therefore thought that his salary should be borne by the Imperial Government,⁸⁹ but while we paid this salary we should have a voice, as to how much the amount should be. He⁹⁰ was by no means disposed to feel apprehension of the withdrawal of⁹¹ the British troops, from this country, as he believed that it would be the best thing that could happen. We were altogether too dependent.⁹² He was convinced that we were prepared to maintain internal peace, or to put down any commotions that might arise; and we had the assurance of England that in the event of war, she would stand by and sustain.⁹³ The people of this country were warmly attached to England, and no large number of them favoured annexation. He believed they would be perfectly willing to bear the expenses of their own defence; and hon. members were not to be frightened from doing their duty to the country by bugbears.⁹⁴ He would not, therefore, be led aside by the withdrawal of troops from the maintenance of the rights of the colony, and the advocacy of the principles and policy which were needed to advance her welfare.⁹⁵

MR. MERRITT said that the Government had a great horror of anything like a system of retrenchment, and were content, instead of it, to promulgate a plan governed by no fixed principles, and the retrenchment under which, amounted to nothing. --He was not, and never had been, in favor of the utter abolition of the Customs' duties, and resorting to direct taxation, but he sincerely desired--and had for many years labored--to curtail our public expenses, which were enormous, having amounted to £700,000 a year since the Union.⁹⁶ Now what was the amount of retrenchment proposed by the resolutions of the Inspector General? He could not answer. But he (Mr. Merritt) could tell him that it was just nothing. There was no system proposed. But it was otherwise with the resolutions of the hon. member for Huron. They found there a regular system proposed. In the first place a searching retrenchment in all parts of the Government, what was required by the exigencies of this country.⁹⁷ The Hon. member went into an examination of the mode and extent of taxation in the United States, contrasting them with our own, (disadvantageously to the latter).⁹⁸ He ... [commented] on the financial system of the State of New York, contending its superiority to ours. There they found that the sums collected from the revenue were applied for the purposes of the federal government, while all the internal expenses of that State were defrayed from local taxation. Yet with our immense revenues, and large extent of public lands, all the money that we could raise was all eaten up by the expenses of just one Government. That fact alone showed that there was something wrong somewhere. He went on to enlarge on the resources of this Province⁹⁹ and ... insisted upon the necessity of resorting to that course of policy which he had more than once explained during the present session,¹⁰⁰ with respect to the revenues to be derived from Crown Lands, and the tolls to be collected from the Canals.¹⁰¹ He preferred the resolutions moved in amendment to those of the Government, because the former were systematical, and involved more comprehensive principles than the latter. What was wanted above all things was, a thorough retrenchment in all parts of the Government, and nothing less would satisfy the country.¹⁰² He then read from the despatch of Earl Grey some extracts relative to the Civil List, to which he replied. He complained that the Inspector General had not brought down a memorandum which he gave in stating his views on retrenchment, when he resigned.¹⁰³

MR. H. BOULTON analyzed the proceedings of the Committee, and the plan of the Government¹⁰⁴ on the subject of retrenchment, ridiculing Mr. Hincks's resolutions,

and contending, in nearly the same terms as on a previous occasion, in favour of the immediate reduction of Judges' salaries, who were now in office.¹⁰⁵ He deprecated the proposals of the Inspector General as wholly inadequate to the emergencies of the Province. He condemned the growing tendency to vote sums of money to schools and kindred establishments; and also complained of the disproportionate amounts voted to Lower Canada, as compared with Upper Canada. In conclusion, he urged generally the necessity of adopting a more decisive course of action than had yet been attempted by the Government.¹⁰⁶

MR. MACKENZIE argued that Mr. Spragge only got an easier birth by his accession to the bench, besides getting more salary than he had before. Of course he was glad of that. But he did not see why all others should not get the same amount. He then went over a great many other salaries, which he said were too high.¹⁰⁷ [He] objected to permanent Salaries to heads of departments, whose Salaries should be voted yearly. There was no just proportion between the amounts paid to responsible officers of the Government, whose labours were most onerous, and those paid to pensioners and others, who rendered no service in return. The Inspector General formerly advocated sweeping reductions, but he was then out of office, and had pursued a totally different course since he had tasted of the sweets of office.¹⁰⁸ Coming to the Governor General's salary¹⁰⁹, he (Mr. McK.) was at one with the Government¹¹⁰, [and] he declared his willingness to vote £7777 to the Governor General, and would continue to do so, so long as ... [we] got a good one.¹¹¹ The Governor General's Salary, ... he thought should be borne by the Province, on the ground that his Excellency was a part of the Provincial Government. It would be a bad exchange to transfer the Governor's Salary to the Imperial Treasury, and to assume, in lieu of it, the cost of maintaining troops and pensioners.¹¹²

MR. CHRISTIE considered that the proposed measures were mere humbug, and on the question of concurrence in the proceedings of this committee coming up, he should move a sweeping reduction of 25 per cent, on all salaries above £500. That would be the best way to cut the matter short.¹¹³

MR. INSP. GEN. HINCKS trusted that when the hon. member for Gaspé submitted his motion, he would be prepared to show what the effect of his contemplated reductions would be.¹¹⁴

COL. PRINCE objected to the resolutions in amendment¹¹⁵. [He] said the amendment was an extensive one; but it shirked the question of the¹¹⁶ Governor General's salary¹¹⁷. That was beginning at the wrong end, and for that reason he would vote against it.¹¹⁸ With regard to the main resolutions, he regretted that any attempt was to be made to reduce the salaries of the judges prospectively. He was glad to learn that the Government were averse to any reduction of the salaries of the present judges¹¹⁹ [and he] would vote for the resolutions as they saved ... [these] salaries ... especially as the law costs had been reduced so as to degrade the most scientific profession to the payment of a day labourer.¹²⁰ The next step would be to reduce the salaries of the heads of departments, who received little enough already. Apart from his office labours, the mere badgering to which the Inspector General was subject, was worth more than the sum he received as salary. He (Col. P.) tho't that any sound system of retrenchment should begin by reducing the salary of the Governor General; and it was his intention, if no other member understood the task, to move that the salary of that functionary be reduced to £3,500--of course leaving the present Governor to enjoy the amount now paid during his period of office.¹²¹

MR. ROBINSON deemed it a great error to reduce the Judges' salaries, which were by no means incommensurate with their duties. The saving that would be thus effected was inconsiderable in amount, and ought be realized in other ways, with

much less detriment to the public service.¹²²

MR. WILSON objected to the reduction of Mr. Spragge's salary as invidious and moved an amendment providing that none of the present judges should be subjected to reduction.¹²³

MR. MACKENZIE could see nothing invidious in singling out Mr. Spragge, who took office with a distinct knowledge that the pending reduction might take place.¹²⁴

MR. WILSON remarked that Mr. Spragge, when he accepted his judgeship, surrendered the office of Registrar and Master in Chancery, which, jointly, yielded about £1,000 a year.¹²⁵

COL. PRINCE objected to wounding the feelings and injuring the position of Mr. Spragge, by singling him out for reduction.¹²⁶

MR. AT. GEN. BALDWIN expressed approval of the amendment of the hon. member for London, which was negatived by 19 to 14.¹²⁷

Several of the ministerial resolutions were put and agreed to.¹²⁸

On reading the resolution relating to pensions, MR. MACKENZIE objected to all pensions unless voted by Parliament.¹²⁹

COL. PRINCE was against pensions to judges, because their salaries were sufficient to enable them--if they avoided extravagance--to lay by a very handsome provision for old age. He particularly condemned the pensioning of Vice Chancellor Jameson, who received, as a pension, a sum twice as large as he was ever entitled to--considered in reference to his professional abilities.¹³⁰

MR. INSP. GEN. HINCKS considered that it was more economy to pension judges when infirm, than to leave them to discharge their functions on the Bench.¹³¹

COL. PRINCE said the plea did not save Vice-Chancellor Jameson, who retired on a pension in the prime of life. He (Mr. P.) contended that if any pensions were to be voted to Judges, they should be voted by Parliament. To have them in the hands of Ministers of the day, was to open the door to an amount of corruption most prejudicial to the character of the bench.¹³²

MR. W. BOULTON opposed the system of pensions.¹³³

MR. WILSON said that the system of pensions as applied to Judges of the superior Courts, was necessary from the tenure of their office. While saying this, however, he disapproved of the allowance of a pension to Mr. Jameson, who notoriously rendered himself incompetent by his own misconduct.¹³⁴

MR. AT. GEN. BALDWIN said that Mr. Jameson was much better read than he had been supposed to be, but his habits and mode of practice were not adapted to the wants of this country, and owing to that circumstance, our chancery system had got into needless disrepute. He (Mr. B.) thought that no other course was open to the Government than that which they pursued towards Mr. Jameson.¹³⁵

MR. H. SHERWOOD, while disagreeing with this remark about the Chancery system, concurred in approving of the course of the Government in Mr. Jameson's case.¹³⁶

The Resolution was then agreed to.¹³⁷

The remaining Resolutions passed without debate; Mr. Cayley's resolutions in amendment, standing over until the report of the Committee came up for concurrence.¹³⁸

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*and after some time spent therein,
Mr. Speaker resumed the Chair;*

And Mr. McFarland reported, That the Committee had come to several Resolutions.
Ordered, That the Report be received to-morrow.

Orders Ordered, That the remaining Orders of the day be postponed
deferred. until to-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Solicitor General
Macdonald,

The House adjourned. 139

FOOTNOTES: 21 AUGUST 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 August 1851, and HAMILTON SPECTATOR, 27 August 1851. The debate was also reported by GLOBE, 23 August 1851. LA MINERVE, 23 August 1851, noted the debate.
2. GLOBE, 23 August 1851.
3. HAMILTON SPECTATOR, 27 August 1851.
4. IBID.
5. GLOBE, 23 August 1851.
6. IBID.
7. HAMILTON SPECTATOR, 27 August 1851.
8. BRITISH COLONIST, 22 August 1851, and HAMILTON SPECTATOR, 27 August 1851, reported in identical accounts that the debate on the St. Lawrence and Lake Champlain Railroad Bill was interrupted by the arrival of the message from the Legislative Council relative to the Party Processions Act Repeal Bill, which was then read. According to these papers, the previous debate was subsequently resumed with Mr. Badgley's motion for amendment. Since there is no official record of Mr. Badgley's motion, the order of proceedings has been left as it appears in the Journals.
9. HAMILTON SPECTATOR, 27 August 1851.
10. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 August 1851, MONTREAL GAZETTE, 26 August 1851, EXAMINER, 27 August 1851, HAMILTON SPECTATOR, 27 August 1851, PILOT, 28 August 1851, and NORTH AMERICAN, 29 August 1851; GLOBE, 23 August 1851, and BATHURST COURIER, 29 August 1851.
11. GLOBE, 23 August 1851.
12. IBID.
13. MONTREAL GAZETTE, 26 August 1851.
14. GLOBE, 23 August 1851.
15. IBID.
16. IBID.
17. MONTREAL GAZETTE, 26 August 1851.
18. GLOBE, 23 August 1851.
19. MONTREAL GAZETTE, 26 August 1851.
20. GLOBE, 23 August 1851.
21. MONTREAL GAZETTE, 26 August 1851.
22. GLOBE, 23 August 1851.
23. MONTREAL GAZETTE, 26 August 1851.
24. GLOBE, 23 August 1851.
25. MONTREAL GAZETTE, 26 August 1851.
26. GLOBE, 23 August 1851.
27. IBID.
28. MONTREAL GAZETTE, 26 August 1851.
29. GLOBE, 23 August 1851.
30. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 23 August 1851, and BATHURST COURIER, 29 August 1851.
31. GLOBE, 23 August 1851.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. GLOBE, 23 August 1851, noted in error that the "motion was lost 2 to 28."

39. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 22 August 1851, MONTREAL GAZETTE, 26 August 1851, EXAMINER, 27 August 1851, HAMILTON SPECTATOR, 27 August 1851, PILOT, 28 August 1851, and NORTH AMERICAN, 29 August 1851; BRITISH WHIG, 23 August 1851, PILOT, 23 August 1851, MONTREAL GAZETTE, 23 August 1851, MONTREAL TRANSCRIPT, 23 August 1851, OTTAWA CITIZEN, 30 August 1851, and JOURNAL DE QUEBEC, 26 August 1851. The following papers reported the debate in partially identical accounts: GLOBE, 23 August 1851, and BATHURST COURIER, 29 August 1851.
40. MONTREAL GAZETTE, 26 August 1851.
41. GLOBE, 23 August 1851.
42. MONTREAL GAZETTE, 26 August 1851.
43. GLOBE, 23 August 1851.
44. MONTREAL GAZETTE, 26 August 1851.
45. GLOBE, 23 August 1851.
46. IBID.
47. MONTREAL GAZETTE, 26 August 1851.
48. GLOBE, 23 August 1851.
49. MONTREAL GAZETTE, 26 August 1851.
50. GLOBE, 23 August 1851.
51. MONTREAL GAZETTE, 26 August 1851.
52. GLOBE, 23 August 1851.
53. MONTREAL GAZETTE, 26 August 1851.
54. BRITISH WHIG, 23 August 1851.
55. MONTREAL GAZETTE, 26 August 1851.
56. GLOBE, 23 August 1851.
57. MONTREAL GAZETTE, 26 August 1851.
58. GLOBE, 23 August 1851.
59. MONTREAL GAZETTE, 26 August 1851.
60. IBID.
61. GLOBE, 23 August 1851.
62. MONTREAL GAZETTE, 26 August 1851.
63. GLOBE, 23 August 1851.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. MONTREAL GAZETTE, 26 August 1851.
69. GLOBE, 23 August 1851.
70. MONTREAL GAZETTE, 26 August 1851.
71. GLOBE, 23 August 1851.
72. MONTREAL GAZETTE, 26 August 1851.
73. GLOBE, 23 August 1851.
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84. MONTREAL GAZETTE, 26 August 1851.
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86. MONTREAL GAZETTE, 26 August 1851.

87. GLOBE, 23 August 1851.
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93. GLOBE, 23 August 1851.
94. MONTREAL GAZETTE, 26 August 1851.
95. GLOBE, 23 August 1851.
96. IBID.
97. MONTREAL GAZETTE, 26 August 1851.
98. GLOBE, 23 August 1851.
99. MONTREAL GAZETTE, 26 August 1851.
100. GLOBE, 23 August 1851.
101. MONTREAL GAZETTE, 26 August 1851.
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103. MONTREAL GAZETTE, 26 August 1851.
104. GLOBE, 23 August 1851.
105. MONTREAL GAZETTE, 26 August 1851.
106. GLOBE, 23 August 1851.
107. MONTREAL GAZETTE, 26 August 1851.
108. GLOBE, 23 August 1851.
109. MONTREAL GAZETTE, 26 August 1851.
110. GLOBE, 23 August 1851.
111. MONTREAL GAZETTE, 26 August 1851.
112. GLOBE, 23 August 1851.
113. IBID.
114. IBID.
115. IBID.
116. MONTREAL GAZETTE, 26 August 1851.
117. GLOBE, 23 August 1851.
118. MONTREAL GAZETTE, 26 August 1851.
119. GLOBE, 23 August 1851.
120. MONTREAL GAZETTE, 26 August 1851.
121. GLOBE, 23 August 1851.
122. IBID.
123. IBID.
124. IBID.
125. IBID.
126. IBID.
127. GLOBE, 23 August 1851. MONTREAL GAZETTE, 26 August 1851, and PILOT, 28 August 1851, reported that the vote was negatived by a vote of 14 to 16.
128. GLOBE, 23 August 1851.
129. IBID.
130. IBID.
131. IBID.
132. IBID.
133. IBID.
134. IBID.
135. IBID.
136. IBID.
137. IBID.
138. IBID.
139. GLOBE, 23 August 1851, reported that the House adjourned at 12 o'clock.

FRIDAY, 22 AUGUST 1851.

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Morrison,--The Petition of John Harris, Moderator, and Thomas C. Davidson, Clerk, on behalf of the Grand River Association of Regular Baptists.

By the Honorable Mr. Viger,--The Petition of S.C. Monk and T.E. Campbell, Esquires, Proprietors of Seigniories in Lower Canada.

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Petition read.

Ordered, That the Petition of S.C. Monk and T.E. Campbell, Esquires, Proprietors of Seigniories in Lower Canada, be now received and read; and the Rules of this House suspended as regards the same.

And the said Petition was received and read; setting forth: That the Petitioners beg permission to express their grateful acknowledgments for the privilege granted them and other parties similarly situated, by the House, of being heard by Counsel on the merits of the Bill now before the House, intituled, "An Act to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof:" That the privilege thus granted by the House is, in the opinion of the Petitioners, of the greatest and most vital importance to their interests, in so far as they are involved in the provisions of the Bill above referred to: That the Petitioners are most desirous of availing themselves of the opportunity thus afforded them, of submitting to the House a variety of statements having a direct and material bearing on the Bill in question: That the points which must necessarily arise in this discussion, as the provisions of this Bill are viewed by the Petitioners, will embrace the most important principles of Jurisprudence and public Law, extend over a wide range of History, and will bring up for the mature consideration of the House, a statistical exposition of vested interests of great magnitude, and, in the opinion of the Petitioners, will also furnish the indisputable demonstration of clearly defined and long established rights on the part of the Petitioners, and which are likely to be seriously impaired by this Bill: That the period of three days accorded to the Petitioners to prepare for being heard before the House, will not enable them to engage Counsel, and to give them the first outlines of their case, without adverting to more full and detailed instructions, or the time necessary for their own preparation for the argument: That the Petitioners have been informed by one of the most eminent Counsel of the Bar of Lower Canada, that he could not conscientiously undertake to address the House on the numerous and important points involved in the Bill in question, unless he had three weeks or one month to prepare for that purpose: That without ample time for Counsel fully to prepare to be heard before the House, it would in no wise promote the interests of the Petitioners, and would be, moreover, disrespectful to the House uselessly to occupy the time of the House and the Country with ill-digested arguments, particularly after so much able discussion of this Bill on the part of Members of the House; and praying that the House would be pleased to grant them, and those similarly situated in Lower Canada, and whom in this particular the Petitioners represent, a further delay of fifteen days, from Saturday next, the 23rd instant to enable the Petitioners' Counsel to prepare to be heard before the House.

Ordered, That the said Petition be printed for the use of the Members of this House.

Petition
referred.

Resolved, That the Petition of William H. Chisholm and others, of the Town and vicinity of St. Catherines, be referred to a Select Committee, composed of the Honorable Mr. Merritt, the Honorable Mr. Baldwin, the Honorable Mr. Boulton, Mr. Richards, and the Honorable

Mr. Cameron of Cornwall, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Petitions of
Henry Allen.

Mr. Prince moved, seconded by Mr. Ross, and the Question being put, That the Petition of Henry Allen, of the City of Toronto, Esquire, Barrister, and heretofore Judge of the London District, complaining of his dismissal from the said office and other grievances therein connected, and praying relief in the premises, and that he be heard at the Bar of the House in the matter of his dismissal from the said office, as set forth in certain other Petitions presented to the House, be referred to a Select Committee, composed of the Honorable Mr. Baldwin, the Honorable Mr. Robinson, the Honorable Mr. Sherwood, Mr. Boulton of Toronto, and the mover, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers and records; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Christie, Letellier, Malloch, Prince, and Sherwood of TORONTO.--(6.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Cameron of CORNWALL, Cartier, Chabot, Dickson, Fergusson, Fortier, Fournier, Fourquin, Hall, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, McConnell, McFarland, Méthot, Meyers, Mongerais, Notman, Polette, Price, Sauvageau, Scott of TWO MOUNTAINS, Seymour, Smith of WENT-WORTH, Stevenson, and Viger.--(31.)

So it passed in the Negative.

Bill relating to
Patents for In-
ventions.

An engrossed Bill to enable parties holding Patents for Inventions confined to one Section of this Province, to obtain the extension of the same to the other Section thereof, and for other purposes therein mentioned, was, according to Order, read

the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to
Claims against
Owners of Vessels.

Mr. McFarland reported from the Select Committee on the Bill to make better provision for the collection of claims against the Owners of Vessels in certain cases, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill, as amended, be printed for the use of the Members of this House.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for to-morrow.

Second Report
of Committee on
Contingencies.

Mr. Bell, from the Standing Committee on Contingencies, presented to the House the Second Report of the said Committee; which was read, as followeth:

Your Committee, agreeably to the Order of reference, have examined the Petition of Mr. A.L. Cardinal, Chief Messenger of Your Honorable House, dated 2nd July last, which sets forth, that at the destruction of the Parliament Buildings at Montreal, in April, 1849 he lost personal property to the amount of Three hundred and twenty-three pounds, and that he received, in accordance with the recommendation of the Committee on Contingencies, in the Session of 1849, the sum of Two hundred pounds, leaving a balance of One hundred and twenty-three pounds, and

praying that such proceedings may be adopted, as Your Honorable House in its wisdom may deem meet, for the relief of the Petitioner. Your Committee find that a similar Petition was preferred by Mr. Cardinal in the Session of 1850, which was also referred to the Committee on Contingencies, who, in their Second Report, gave the following among other reasons for declining to recommend any further relief to the Petitioner:--"By referring to the Seventh Report of the Committee on Contingencies of the last Session, it will be seen that the relief afforded him was not

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intended as a gratuity, nor by way of indemnity for his loss, grave and serious as no doubt it was to him. The advance made him was rather in the nature of a loan than of an indemnity; it is expressly recommended by the Committee, that the 'advance of One hundred pounds, as well as the One hundred pounds subsequently advanced by Mr. Speaker, be made him from the Contingencies, to enable him to provide himself temporarily with lodgings for his family, furniture and other necessaries, with the understanding always, that if he recover Insurance (having insured, as he represents to Your Committee, to the amount of Two hundred pounds) or an indemnity by law from any other source than from the Insurers, for the loss of property he has sustained by the aforesaid conflagration, he is to refund the amount.' A legal recourse was open, as Your Committee apprehend, to Mr. Cardinal for the damage he may have sustained, and that he has not thought proper to pursue it, must, they presume, have depended upon himself."

Your Committee see no reason for deviating from the view taken of the subject last Session, and which was approved by Your Honorable House, and cannot admit of any claim on his part to an indemnity, which, if allowed, might establish a most inconvenient precedent; nevertheless Your Committee would recommend that the sum of Thirty-two pounds ten shillings be paid to Mr. A.L. Cardinal as a gratuity for board and house rent, which he was subjected to after the burning of the Parliament House, and as a remuneration for house rent which he has been obliged to pay since the burning of the House.

Your Committee have also taken into consideration the Petition of William Winder, Esquire, Librarian of Your Honorable House. They have to observe that a Petition from Mr. Winder to the same effect, that is, for indemnity for loss of personal property in the conflagration of the Parliament House at Montreal in 1849, was presented by him last Session, but his prayer was disallowed. Your Committee see no reason for setting aside that decision, however much they regret the loss Mr. Winder has sustained, particularly in the destruction, as he represents, of several valuable manuscripts relating to the natural history of the country, which he had prepared with much care and labour.

The Petition of Mr. Paul Kane, also referred to Your Committee, has received from them the attention due to the interesting subject to which it relates, that is to say, the encouragement of the Arts. The Petitioner sets forth that he has spent five or six years in traversing the regions of Northern and Western America, comprised between the Columbia River on the south, Lesser Slave Lake and Hudson's Bay on the north, the borders of Canada on the east, and the Pacific Ocean on the west; that he has taken sketches, upwards of five hundred in number, of the most interesting portions of the country, and faithful portraits of the principal Chiefs, together with an extensive collection of the costumes and curiosities of upwards of sixty tribes of Indians, illustrative of the general character of the country, together with the customs, religion, and mode of life of its inhabitants. Your Petitioner prays "that in order to enable him to devote the necessary time to the completion of the sketches in question, in a style and of a size best suited to the subject, Your Honorable House will grant him such aid as in your wisdom the importance of the subject may appear to deserve, as will enable him to render his collection less a matter of individual speculation than one of public interest and importance." Your Committee recommend, that the sum of Five hundred pounds be

expended for the purchase of twelve of such of Mr. Kane's best finished Oil Paintings, as shall be selected by the Library Committee, for the purpose of being preserved in the Library of the Legislature, and that one half of the amount (Two hundred and fifty pounds) be paid to him so soon as the selection shall have been made, specifications furnished of the several pieces selected, and pledges given by Mr. Kane, That at a time certain to be agreed upon, they will be delivered by him to their intended destination; and the remaining Two hundred and fifty pounds, upon his return from England, (whither it is his intention to proceed, in order to cause his sketches to be engraved or lithographed for sale) and delivery of the Paintings that shall have been so selected, to the Clerk of Your Honorable House, to be deposited in the Library, pursuant to the present recommendation.

Your Committee think it proper to observe, that Mr. Kane is a native of the City of Toronto, of whom his native City may be proud, as an Artist of the first merit. They deemed it their duty to visit his Studio, and were highly gratified by the inspection of the splendid Paintings and collection of curiosities shown them by that gentleman, illustrative of the remote and interesting parts of our Continent, which he visited during his peregrinations.

In consequence of the recommendation of the Committee on Contingencies, in their Fifth Report of the Session of 1849, Your Honorable House adopted a classification of its Officers according to Salaries, and a system of promotion from class to class by merit and seniority, and determined that no increase of salary to any one of a class should take place so long as he remained in it, nor until he were promoted to the next superior class; and that the Clerk, Clerk-Assistant, and Serjeant-at-Arms (the latter mentioned officer being in rank, though not in salary, next to them) do constitute the first class.

The Officers receiving Three hundred and fifty pounds a-year, the second class.

Those at Two hundred and fifty pounds a-year, the third class.

Those at Two hundred pounds a-year, the fourth class.

Those at One hundred and fifty pounds a-year, the fifth class.

And those at One hundred and twenty-five pounds a-year, the sixth class.

Your Committee taking into consideration, in pursuance of the above, the long service and merit of Mr. Henry Hartney, (whom Your Committee recommend to be designated "Third Office and Engrossing Clerk,") and the ability, diligence, and order with which Mr. William Spink has, to the knowledge of Your Committee, and, as they believe, of Your Honorable House, uniformly for years past, conducted the important duties entrusted to him, respectfully recommend that those Officers be promoted, as an encouragement to exemplary merit in the service of Your Honorable House, from the fifth to the fourth class, and the latter Officer, in order to designate his position in the Office, be styled, "Clerk of Routine and Records."

Your Committee, in like manner to encourage merit in the succeeding classes, also recommend that a new or medium class, ranging between the fourth and fifth classes, be established by Your Honorable House, at a salary of One hundred and seventy-five pounds a year. The new classification, if this be adopted, will stand as followeth:--

The Clerk, Assistant-Clerk, and Serjeant-at-Arms, will constitute the first class.

The Officers receiving Three hundred and fifty pounds a-year, the second class.

Those at Two hundred and fifty pounds a-year, the third class.

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Those at Two hundred pounds a year, the fourth class.

Those at One hundred and seventy-five pounds a-year, the fifth class.

Those at One hundred and fifty pounds a-year, the sixth class.

And those at One hundred and twenty-five pounds a year, the seventh class.

Your Committee, if the proposed new classification is adopted, recommend that Mr. Thaddeus Patrick, Clerk of Committees, Mr. King Barton, Clerk of Petitions, Mr. William H. Lemoine, Junior Clerk, and Mr. J.P. Leprohon, Clerk of Committees, be

promoted to the above new or fifth class of One hundred and seventy-five pounds a-year.

In consequence of the resignation of Mr. Berthelot, who was of the fifth class first stated, Your Committee recommend that Mr. H.B. Stuart, Engrossing Clerk, senior of the next following class, be promoted in the place of Mr. Berthelot, to the new sixth class, at One hundred and fifty pounds a-year. Mr. Stuart's promotion and increase of salary to commence from the date of Mr. Berthelot's resignation; and that Mr. E. Denechaud, at present of the original sixth class at One hundred and twenty-five pounds a-year, be, in the same manner, promoted to the said new sixth class, at One hundred and fifty pounds a-year. And also, that Mr. W.C. Burrage, the senior Extra Writer, be promoted to the seventh class, at One hundred and twenty-five pounds a-year, and that the salary of Mr. Burrage commence at the termination of the present Session. The additions to the salaries of the other Officers above promoted, Your Committee recommend should commence from the beginning of the present quarter.

Your Committee append a List of the Officers, according to the proposed new classification and promotions, and recommend that this order be observed in the Pay Lists of their salaries.

Your Committee have had under consideration the allowance at present made to the Extra Assistant Translators and Extra Writers, and from the necessity of their services during the Session, their diligence and attention to their duties, heavier at the present Session than usual, and the expense incurred by them in coming to the place at which the Legislature is convened, recommend that an addition be made to their fixed allowance, so as to cover all necessary charges incurred in travelling or otherwise, and that they therefore be classified, and allowed as followeth:--

The first class to be allowed fifteen shillings per diem; the second class to be allowed twelve shillings and six pence per diem, (a list of this last named classification is hereto appended;) and that all those employed since the commencement of the present Session, not included in the above classes, be allowed ten shillings a-day for the time employed.

Your Committee have been petitioned by Mr. W.H. Lemoine for an allowance in consequence of having, during the last Session of Parliament, been employed to fill the place of Mr. Gagnon, French Journal Clerk, who was unable from sickness to attend the office. From the extra labor and responsibility thus imposed upon Mr. Lemoine, it is recommended that a gratuity of Twenty-five pounds be allowed him. A Petition, somewhat similar to the above, has been presented to Your Committee, by Mr. Levesque for extra labor caused by the absence of Mr. Voyer, the French Translator; the difference of this case from the former is, that while the absence of Mr. Gagnon was wholly unavoidable and beyond his control, that of Mr. Voyer was unauthorized, to the serious detriment of the work of the office; Your Committee, nevertheless, consider that Mr. Levesque should not suffer thereby, and therefore recommend that the sum of Fifteen pounds be allowed him for such extra labor.

Properly, this charge ought to be defrayed from Mr. Voyer's salary, but as he is paid by Warrant, he is in this respect beyond the immediate control of Your Honorable House. Your Committee consequently desire that the compensation now recommended to Mr. Levesque, be not taken as a precedent. Both those Officers are on fixed salaries, and owe their whole time to the public, it must, therefore, be evident to Your Honorable House, that if extra allowances to one Officer for performing the duties of another, not unavoidably absent, are too readily granted, great abuses will result.

Your Committee, on this occasion, also think it reasonable to observe, that as it is probable the Seat of Government will, immediately after the close of the Session, be transferred to Quebec, the whole of the salaried Officers on the establishment of Your Honorable House should accompany the Clerk thither, on his departure from Toronto; and on no account (except from illness or other unaccountable

causes) be allowed to absent themselves from their respective duties, until the whole business in arrear of the Session be brought up and entirely perfected.

Your Honorable House allowed, last Session, certain sums to different Officers as gratuities, for the inconvenience and discomfort to which they were subjected by the removal of the Seat of Government from Montreal to Toronto; but the following persons in the employ of Your Honorable House, were, through oversight, omitted; Your Committee, therefore, recommend that the sum of Seven pounds ten shillings be allowed to each of the following individuals in the service of Your Honorable House, viz:--To A. Lapperrière, Senior, M. McCarthy, and James Curran, Messengers; and to J. O'Connor, Doorkeeper.

Your Committee also recommend that, in consideration of the assiduity of Mr. R. Defries, the Postmaster of Your Honorable House, to the responsible and onerous duties of his charge, there be allowed him a gratuity of Twelve pounds ten shillings; and to Mr. J. Cameron, the Assistant Messenger, the sum of Ten pounds as a gratuity, in acknowledgment and requital of the diligence with which, notwithstanding his advanced age, he attends to the duties of his post, as well in vacation under the direction of Mr. Speaker, as during the Session.

A Communication has been made by the Clerk of Your Honorable House, herewith appended, relative to the distribution of the Journals and Appendices, to all the Municipalities of Lower and Upper Canada, agreeably to the Order of the House of the 7th July, last. Your Committee beg leave to recommend that the Member for each County instruct the Clerk to whom they shall be sent in his County, and that they be forwarded accordingly by the Clerk.

Your Committee append herewith, a List of the Officers according to the proposed new classification and promotions, as well as a List of the Extra Assistant Translators, Extra Writers, and Messengers, with the Salaries and Allowances which it is proposed to give. A Schedule of the sums paid to the persons summoned to attend as Witnesses during the present Session, is also appended.

Your Committee likewise append an Estimate of the amount required for the Contingent expenses of Your Honorable House for the current year, amounting to Twenty-nine thousand nine hundred and fifty pounds. The balance in the Clerk's hands, on the 26th May last, was Five thousand and ninety-four pounds six shillings and five pence; since that date Five thousand pounds have been advanced pursuant to the Address of the 28th July last; these items, with the Fees, amounting to Three hundred and seventy-five pounds, received on private Bills during the present Session, amount

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to Ten thousand four hundred and sixty-nine pounds six shillings and five pence--leaving an amount to be provided for, of Nineteen thousand four hundred and eighty pounds thirteen shillings and seven pence, and for which, accordingly, Your Committee recommend an Address to His Excellency the Governor General.

List of Officers, according to the proposed new Classification and Promotions:--
First Class.--Clerk, Assistant Clerk, and Serjeant-at-Arms.

Second Class.--Receiving Three hundred and fifty pounds a-year:--

G.W. Wicksteed, Law Clerk and English Translator.

W.P. Patrick, Chief Office Clerk.

William Ross, Chief Clerk of Committees.

Third Class.--Receiving Two hundred and fifty pounds a-year:--

H. Voyer, French Translator.

P.E. Gagnon, French Journal Clerk.

G.M. Muir, English Journal Clerk.

Alfred Patrick, Clerk of Committees.

Thomas Vaux, Second Office Clerk and Accountant.

Alfred Todd, Clerk of Committees.

Fourth Class.--Receiving Two hundred pounds a-year:--

W.B. Lindsay, Junior, Assistant Law Clerk and English Translator.

G. Levesque, Assistant French Translator.

D.P. Myrand, do

J. Huston, do

W. Winder, Librarian.

Alpheus Todd, Assistant Librarian.

H. Hartney, Third Office and Engrossing Clerk.

W. Spink, Clerk of Routine and Records.

Fifth Class.--Receiving One hundred and seventy-five pounds a-year:--

Thaddeus Patrick, Clerk of Committees.

King Barton, Clerk of Petitions.

W.H. Lemoine, Junior Clerk.

J.P. Leprohon, Clerk of Committees.

Sixth Class:--Receiving One hundred and fifty pounds a-year:--

H.B. Stuart, Engrossing Clerk.

E. Denechaud, Junior Clerk.

Seventh Class.--Receiving One hundred and twenty-five pounds a-year:--

W.C. Burrage, Junior Clerk.

List of the Extra Assistant Translators, and Extra Writers according to the proposed Classification:--

First Class, at Fifteen shillings per diem:--

W. Fanning, Extra Assistant Translator.

W. Wilson, do

F. Amiot, do

M. Barret, do

F.X. Blanchet, Extra Writer.

W.B. Ross, do

J. McCallum, do

C. Langevin, do

Thos. Burn, do

W. Williamson, do

H. Potter, do

J. Guy, do

F. Badgley, do

Second Class at Twelve shillings and six-pence per diem:--

J.A. Leprohon, Extra Writer.

A. Laperrière, Junr., do.

P. Rivet, Junr., do.

G. Taylor, do.

J. Lindsay, do.

J. Gingras, do.

List of Messengers and Servants of the House:--

A.L. Cardinal, Chief Messenger, at a Salary of One hundred and fifty pounds a-year.

R. Defries, Postmaster, do Eighty pounds do.

J. Cameron, Assistant Messenger, do Seventy-five pounds do.

J. O'Connor, Door-keeper, do Seventy pounds do.

A. Laperrière, Messenger, Seven shillings and six-pence, per diem, during Session.

M. McCarthy, do do do

Robert Bailie, do do do

James Curran, do do do

O. Vincent, do do do

J. Blais, do do do

Charles Olivier, Messenger, Seven shillings and six-pence, per diem, during Session.

<u>P. Rivet</u> , Senior,	do	do	do
<u>J. McLennan</u> ,	do	do	do
<u>G. Webster</u> ,	do	do	do
<u>J. Lemonde</u> ,	do	do	do
<u>E. Peltier</u> ,	do	do	do
<u>L. Labonté</u> ,	do	do	do
<u>J.B. Asselin</u> ,	do	do	do
<u>J. Bishop</u> ,	do	do	do
<u>H. McCarthy</u> , House Page, at Six shillings and three-pence, per diem, during Session.			
<u>E. Maguire</u> , Messenger, at Seven shillings and six-pence, per diem, during Session.			
<u>W. Graham</u> ,	do	do	do

Schedule of sums paid to Witnesses summoned to give Evidence before Committees of the Legislative Assembly during the present Session:--

Before the Committee on the settlement of the Eastern Townships in Lower Canada:--

<u>E. Faucher</u> ,	£11	10	0
<u>A. Racine</u> ,	15	5	0
<u>T.A. Lambert</u> ,	12	0	0
<u>L. Lundy</u> ,	12	0	0
Reverend <u>N.A. Leclerc</u> ,	22	0	0
<u>J.O. Arcand</u> ,	18	10	0
<u>J. Hume</u> ,	20	10	0
<u>H. Héon</u> ,	11	10	0
<u>A.W. Rich</u> ,	4	0	0
		£127	5 0

Before the Committee on Railroads and Telegraph Lines:--

<u>J. Christie</u> ,	£ 2	10	0
<u>A. Farrell</u> ,	5	0	0
		7	10 0

Before the Committee on the Bill to provide a remedy against trespassing by Raftsmen:--

<u>C.E. Dunn</u> ,	6	17	6
		£141	12 6

Thos. Vaur,
Accountant, L.A.

Clerk's Office, Legislative Assembly.

Tuesday, 12th August, 1851.

Sir,--Adverting to the Order of the House, of the seventh July last, that I should furnish all the Municipalities in Lower and Upper Canada with copies of the Journals and Appendices, I beg leave respectfully to submit for the consideration of the Standing Committee on Contingencies, that as the distribution of those Documents will entail very considerable expense, whether it would not be desirable to ensure their safe delivery to the parties entitled to them, that I should be authorized to employ confidential persons, (say some of the Junior Officers of the House,) to take them in charge for distribution, making them a moderate allowance for this duty, and for travelling expenses. This I respectfully suggest to the Committee; but will be happy

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to follow any instructions I may receive upon the subject.

I have the honor to be,

Sir,

Your most obedient Servant,

W. B. Lindsay,

Clerk Assembly.

Robert Bell, Esquire,
M.P.P. &c. &c. &c.

Estimate of the amount required for the Contingent Expenses of the Legislative Assembly, for the current year:--

For Salaries and Allowances to the Officers

of the House,	£6500	0	0
do Extra Assistant Translators, and Extra			
Writers,	1250	0	0
do Messengers,	1000	0	0
do Witnesses before Committees,	150	0	0
do Library,	800	0	0
do Printing, Printing Paper, and Binding.	16000	0	0
do Stationery, including Bank Books, &c.,			
for the Office,	650	0	0
do Postage for Session and Recess,	1250	0	0
do Tradesmen, and other General Accounts,	1000	0	0
do Newspapers and Advertizing,	350	0	0
do Miscellaneous and unforeseen charges,	1000	0	0
	£29950	0	0

Less.--By balance at Audit on the 26th May,

1851,	£5094	6	5
By Warrant this Session,	5000	0	0
Fees on Bills, say,	375	0	0
	10469	6	5
	£19480	13	7

W. B. Lindsay,

Clerk Assembly.

Thos. Vaux,
Accountant.

Ordered, That the said Report be printed for the use of the Members of this House.

Ordered, That the said Report be committed to a Committee of the whole House, for Monday next.

Bill relative
to the Election
of Members in
certain Town-
ships.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to fix the place for holding the Polls for the Election of Members of Parliament in Townships divided into Wards, in Upper Canada, and for other purposes relative to Elections," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 36. After "held" insert "and also when two or more Townships are united for Municipal purposes and are divided into wards."

Press 1, line 38. After "most" insert "central and."

And the first Amendment being read a second time;

On motion of Mr. Solicitor General Macdonald, seconded by the Honorable Mr. Hincks, amendments were made thereunto, by leaving out from "and" in line 1, to "Townships" in line 2, and inserting "every union of," and by leaving out from "Townships" in line 2, to "wards" in line 3 inclusive, and inserting "divided into wards shall be deemed a Township divided into wards within the meaning of this Act."

And the said Amendment, so amended, was agreed to.

The second Amendment, being read a second time, was agreed to.

Ordered, That Mr. Solicitor General Macdonald do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments, with Amendments, to which they desire their concurrence.

Preservation of the Peace.

Mr. Mongenais, from the Committee to consider the expediency of making provision for the preservation of the Peace in the neighbourhood of Railways, Canals and other Works undertaken by Private Corporations, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient that the expenses to be incurred in employing the Local Police Force in the preservation of the Peace and the prevention of Riots in places where any Railway, Canal or other Work undertaken by any Incorporated Company may be in progress of construction, should be defrayed in the first instance out of the Consolidated Revenue Fund of this Province, to be afterwards repaid to the Receiver General by such Incorporated Company.

The said Resolution, being read a second time, was agreed to.

Civil List.

Mr. McFarland, from the Committee to consider the expediency of amending the Act granting a Civil List to Her Majesty, (9 Vic. cap. 114,) and also the Acts 12 Vic. caps. 63 and 64, with a view to the reduction of certain Items in the Schedule to the said first mentioned Act; and also to provide for the Salaries of the Speakers of the two Houses of the Provincial Legislature, reported several Resolutions; which were read, as follow:--

1. Resolved, That it is expedient to reduce the Salaries of the Judges of the Superior Courts of Law and Equity in this Province, appointed since the close of the last Session of the Provincial Parliament, (10th August, 1850,) or hereafter to be appointed, and to fix them at the following rates per annum, that is to say:--

Lower Canada.

For the Chief Justice of the Court of Queen's Bench, Nine hundred pounds.

For the Chief Justice of the Superior Court, Nine hundred pounds.

For the Puisné Judges of the Court of Queen's Bench, Eight hundred pounds.

For the Puisné Judges of the Superior Court, resident at Quebec and Montreal, each, Eight hundred pounds.

Upper Canada.

For the Chief Justice of the Court of Queen's Bench, Nine hundred pounds.

For the Puisné Justices of the Court of Queen's Bench, each, Eight hundred pounds.

For the Chief Justice of the Court of Common Pleas, Nine hundred pounds.

For the Puisné Justices of the Court of Common Pleas, each, Eight hundred pounds.

For the Chancellor of Upper Canada, Nine hundred pounds.

For the Vice-Chancellors, each, Eight hundred pounds.

2. Resolved, That it is expedient to reduce the Salaries of the Attorneys General for Upper and Lower Canada, respectively, and to fix them at the rate of Nine hundred pounds, per annum, each.

3. Resolved, That it is expedient to reduce the Salaries of the following Officers, respectively: the Provincial Secretary, the Receiver General, the

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Inspector General, and the Chairman of the Committees of the Executive Council, and to fix them at the rate of Eight hundred pounds, per annum, each.

4. *Resolved, That it is expedient that all Pensions heretofore granted by the Crown should continue to be paid during the lives of the grantees respectively.*

5. *Resolved, That it is expedient to provide that no Pension be hereafter granted, except to Judges retiring from office, or under the express provisions of some Act of the Legislature allowing such Pension; and that the sum to be hereafter paid for Pensions under Schedule B. of the Act for granting a Civil List to Her Majesty, (9 Vic. cap. 114,) shall never exceed the amount of the Pensions now granted under the said Schedule,--such Pensions to cease on the death of the grantees respectively.*

6. *Resolved, That it is expedient to amend the Act last above cited, (and the Acts 12 Vic. caps. 63 and 64,) in accordance with the foregoing Resolutions.*

7. *Resolved, That it is expedient that the Salaries of the Speaker of the Legislative Council, and of the Speaker of the Legislative Assembly of this Province, should be fixed by law, at the rate of Five hundred pounds, per annum, each, with condition that if the said office of Speaker of the Legislative Council should be held by a person holding any other office or profit under the Crown, he shall not then receive the said Salary, but shall be allowed the sum of One hundred pounds, per annum, in addition to the Salary attached to such other office.*

*Mr. Solicitor General Drummond moved, seconded by the Honorable Mr. Hincks, and the Question being proposed, That the said Resolutions be now read a second time;*¹

Mr. Christie moved in amendment to the Question, seconded by the Honorable Mr. LaTerrière, That all the words after "That" to the end of the Question be left out, in order to add the words "the Report be now recommitted, with an instruction to the Committee to take into consideration the expediency of reducing, and, if deemed expedient to reduce, at what rate,"² the Expenses of the Legislature, and of all Salaries exceeding Five hundred pounds a-year, paid from the Consolidated Revenue Fund of the Province" instead thereof;

MR. INSP. GEN. HINCKS thought ... [this] amendment a tangible one.³

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The Honorable Mr. Cayley moved in amendment to the said proposed Amendment, seconded by the Honorable Mr. Macdonald, That all the words after "Legislature" be left out, and the words "and the several Departments of the Government" inserted instead thereof;

MR. INSP. GEN. HINCKS asked what effect could result from ... [this amendment]. The hon. member [Mr. Cayley] had had opportunity in the Committee for expounding any scheme of retrenchment, and as he did not do so his present course could only be looked on as an attempt to make political capital. The hostility to the present measure showed that gentlemen opposite were in reality opposed to retrenchment.⁴

Some words [came] from MR. CHRISTIE complaining of the growing expenses of the Government.⁵

MR. J. SMITH (Durham) declared himself a friend to retrenchment, but he knew the antecedents of gentlemen opposite too well to be led astray by them. Their whole course was but intended to serve electioneering purposes; but neither the country nor the House would be entrapped by them.⁶

MR. CAYLEY said it was no business of the opposition to bring forward a scheme of retrenchment; but that of the Government. The opposition, however, had last year proposed a most comprehensive plan in Committee; but this was thwarted by the Government, and was now but very imperfectly carried out. He and his friends supported the reductions before the House; but they did not go far enough. No govern-

ment was ever less economical than the present. They had crowded the bench with particulars, whose promotion was solely to meet political views.⁷

MR. AT. GEN. LAFONTAINE alleged that the increase on the bench was required by the increase in population, and that instead of partizans, ministers had made judges of their political opponents; and he mentioned Messrs. Duval, Vanfelsan, Meredith, Esten, Spragge, &c. He had never heard of a case of this sort with the last ministry.⁸

MR. CAYLEY loudly protested that he made no reference to the personal qualifications of the judges; but to their number.⁹

MR. MACKENZIE stated his opinion that neither side of the House had any claims to be ranked as economical reformers. He then went on to complain of the expenses in various departments; especially in that of Queen's Printer. This led him to attack Mr. Derbishire, as a gentleman, who had dropped from the clouds upon Bytown, and a mere political adventurer who had got a fat office for his reward. He understood that he received £1,000 a year.¹⁰

MR. H. SHERWOOD gave as his opinion that the hon. member for Haldimand would not long persist¹¹ in the use of such language¹² [and] in making these charges, as he was understood to be included in the new combinations as Postmaster-General, and would doubtless cling to the office quite as fast as the present ministry.--Having touched upon these combinations, he expressed his desire for some explanation from the Attorney General (West), who was reported to be a party to them.¹³

MR. MACKENZIE said he was no party [to this].¹⁴ [He] denied ... [that] he had ... [anything] to do with any combinations.¹⁵

MR. H. SHERWOOD continued; then the hon. member had been badly treated¹⁶ [by] the gentlemen which had arranged the new combinations¹⁷ if he really had not been admitted to the negotiations announced in a certain city paper.¹⁸ If they had called him to their meetings and consulted him, the house would not have heard the tirade that he had just inflicted on it. The papers of the city mentioned the names of the Solicitor General West and Dr. Rolph, those of certain gentlemen from the country, and several others, as included in the combinations. He wished to hear from the Solicitor General West something on the subject of these combinations.¹⁹ The hon. Commissioner of Crown Lands shook his head; but he (Mr. S.) was quite aware that his hon. friend had nothing to do with the new movements; it being a sine qua non that he was to be excluded. He was either too honest or too dishonest.²⁰

MR. BADGLEY--Those desirous for Retrenchment even in the salaries of the Judges did not desire to go so far as some hon. gentlemen on that item, and [he] thought it would be a crying breach of faith to reduce the salaries of gentlemen now on the bench. He also took occasion to reply to what had been said some time ago on the subject of the Attorney General's office by Mr. Lafontaine, and declared that he had not received the fees on patents as imputed to him by that gentleman, and that the postage of his department had not been charged to the general revenue.²¹

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And the Question being put on the Amendment to the said proposed Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Christie, Dickson, Hopkins, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, Merritt, Meyers, Robinson, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(18.)

NAYS.

Messieurs Baldwin, Bell, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Duchesnay, Fournier, Fourquin, Gugy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenaïs, Morrison, Polette, Price, Richards, Sanborn, Scott of TWO MOUNTAINS, Smith of WENTWORTH, Taché, Viger, and Wilson.--(30.)

So it passed in the Negative.

And the Question on the Amendment to the Original Question being again proposed; the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Boulton of TORONTO, Christie, Hopkins, Letellier, Mackenzie, Malloch, McConnell, Merritt, Meyers, Sanborn, Seymour, and Stevenson.--(12.)

NAYS.

Messieurs Badgley, Baldwin, Bell, Bouthillier, Cartier, Cauchon, Cayley, Chabot, Chauveau, Dickson, Duchesnay, Fournier, Fourquin, Gugy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Solicitor General Macdonald, Macdonald of KINGSTON, Méthot, Mongenaïs, Morrison, Polette, Price, Richards, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Taché, Viger, and Wilson.--(34.)

So it passed in the Negative.²²

And the Question being again proposed, That the said Resolutions be now read a second time;

The Honorable Mr. Cayley moved in amendment to the Question, seconded by the Honorable Mr. Sherwood, That all the words after "That" to the end of the Question be left out, in order to add the words "a comprehensive and searching Enquiry into the administration of the various Departments of Government and the Public Service, as well as into the cost of management, is imperatively called for by the People of this Province" instead thereof;

MR. MERRITT thought neither side had taken up the question of retrenchment as they should have done; and after some allusion to the proceedings by the Committee of the House and that of the Executive Council on this subject, declared that the proposed reductions were truly insignificant.²³

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Christie, Dickson, Hopkins, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, Merritt, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(18.)

NAYS.

Messieurs Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fournier, Fourquin, Gugy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenaïs, Morrison, Polette, Price, Richards, Taché, Viger, and Wilson.--(29.)

So it passed in the Negative.

And the Question being again proposed, That the said Resolutions be now read a second time;

The Honorable Mr. Cayley moved in amendment to the Question, seconded by the Honorable Mr. Macdonald, That all the words after "That" to the end of the Question be left out, in order to add the words "an Enquiry into the administration and expenditure of the various Departments of Government and the Public Service, to be productive of good, must be extended to the system as well as to the details of official management and expenditure: the simplifying the machinery of Government, and the careful adaptation of salaries to the services required of public functionaries being the only sure foundations of real and practical economy" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Christie, Dickson, Hopkins, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, Merritt, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(18.)

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NAYS.

Messieurs Baldwin, Bell, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Guy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenais, Morrison, Polette, Price, Richards, Taché, Viger, and Wilson.--(29.)

So it passed in the Negative.

And the Question being again proposed, That the said Resolutions be now read a second time;

The Honorable Mr. Cayley moved in amendment to the Question, seconded by the Honorable Mr. Macdonald, That all the words after "That" to the end of the Question be left out, in order to add the words "the propositions of the Government now submitted to this House, based on no principle, and limited to a few unimportant reductions, are wholly inadequate to effect the purpose proposed, and fall far short of those expectations which the professions of the Government have naturally led the Country to entertain" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Cayley, Christie, Dickson, Macdonald of KINGSTON, Malloch, McConnell, Robinson, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(13.)

NAYS.

Messieurs Baldwin, Bell, Boulton of NORFOLK, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Guy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, Merritt, Méthot, Mongenais, Morrison, Polette, Price, Prince, Richards, Sanborn, Taché, Viger, and Wilson.--(35.)²⁴

So it passed in the Negative.

And the Question being again proposed, That the said Resolutions be now read a second time;

The Honorable Mr. Cayley moved in amendment to the Question, seconded by the Honorable Mr. Macdonald, That all the words after "That" to the end of the Question be left out, in order to add the words "the Resolution adopted by the Finance

Committee in 1850, to the effect that 'it is expedient that the Salary of the Governor General, if defrayed out of the Provincial Revenues, should be reduced to an amount commensurate with the resources, population, and financial condition of the Province,' is in accordance with the wishes of the People of Canada. Her Majesty's Secretary for the Colonies, however, having intimated that it was in contemplation, viewing the office of the Governor General as one of a strictly Imperial character, to defray the Salary attached to it from Imperial Funds, it is, in the opinion of this House, inexpedient to anticipate the course which the Home Government may see fit to adopt in reference thereto" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Christie, Dickson, Macdonald of KINGSTON, Malloch, McConnell, Merritt, Robinson, Sanborn, Sherwood of BROCKVILLE, Sherwood of TORONTO, and Stevenson.--(15.)

NAYS.

Messieurs Baldwin, Bell, Bouthillier, Burritt, Cartier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Gugy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Létellier, Solicitor General Macdonald, Méthot, Mongenais, Morrison, Polette, Price, Prince, Richards, Ross, Smith of WENTWORTH, Taché, Viger, and Wilson.--(33.)

So it passed in the Negative.

And the Question being again proposed, That the said Resolutions be now read a second time;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Boulton of Toronto, That all the words after "That" to the end of the Question be left out, in order to add the words "the Report be recommitted, with an instruction to the Committee to consider the following proposed Resolution: 'That the People of this Province ought not to be called upon to pay the Salary of any Public Functionary, however exalted his position, in whose appointment their Representatives are not consulted, and over whose conduct they have no control: That by the Act of Union, the several sums of Seven thousand pounds, and One thousand pounds, Sterling Money of Great Britain, are thereby appropriated in Schedule A. appended to the said Act, to the Governor and Lieutenant Governor respectively, and who are respectively appointed at Home upon the sole responsibility of the Ministers of Her Majesty's Imperial Government: That upon all sound constitutional principles of free Government such appropriations should, in the language of Lord Viscount Howick (now Earl Grey, and Her Majesty's Principal Secretary of State for the Colonies,) be borne upon the Consolidated Fund of the United Kingdom, because as the Governor General is sent out, he ought to be paid, by Great Britain, but that in the event of Her Majesty's Imperial Government declining to recommend to Parliament an appropriation to meet that charge, the Salary of the Governor General to be borne upon the Consolidated Revenue of this Province, be reduced to Three thousand five hundred pounds, as being more in accordance with the finances of the Country, and that the Salary of the Lieutenant Governor be dispensed with'" instead thereof;

MR. H. SHERWOOD opposed the amendment as being nothing less than a declaration of independence of Great Britain.²⁵

A few words [came] from COL. PRINCE, censuring Mr. H.J. Boulton for speaking so often, but giving him credit for his ability, and also opposing the amendment.²⁶

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, and Boulton of TORONTO.--(2.)²⁷

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Bouthillier, Burritt, Cartier, Cayley, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Gugy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McFarland, Meyers, Mongenais, Morrison, Notman, Price, Prince, Richards, Ross, Smith, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, Viger, and Wilson.--(42.)

So it passed in the Negative.

MR. MACKENZIE moved an amendment relative to pensions, but could not find a seconder.²⁸

Motion withdrawn.²⁹

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Then the main Question being put:--It was resolved in the Affirmative.

And the First Resolution being read a second time;

Mr. Wilson moved in amendment thereunto, seconded by Mr. Prince, That all the words after "That" be left out, in order to add the words "it is not expedient that any reduction be made in the Salaries of the Judges of the Superior Courts of Law or Equity in this Province, on account of their position, and the duties imposed upon them" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

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YEAS.

Messieurs Gugy, Prince, and Wilson.--(3.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Boulton of NORFOLK, Bouthillier, Cartier, Cayley, Chabot, Dickson, Solicitor General Drummond, Fortier, Fournier, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McFarland, Meyers, Mongenais, Notman, Price, Richards, Ross, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, Smith of WENTWORTH, Stevenson, and Viger.--(35.)

So it passed in the Negative.

And the First Resolution being again read;

Mr. Wilson moved in amendment thereunto, seconded by Mr. Prince, That the words "appointed since the close of the last Session of the Provincial Parliament, (10th August, 1850,) or," and the words "to be" after the word "hereafter" be left out;

And the Question being put on the Amendments; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Cartier, Cayley, Christie, Dickson, Macdonald of KINGSTON, Meyers, Morrison, Prince, and Wilson.--(11.)

NAYS.

Messieurs Armstrong, Bouthillier, Chabot, Solicitor General Drummond, Fortier, Fournier, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Mackenzie, Malloch, McFarland, Méthot, Mongenais, Notman, Polette, Price, Richards, Ross, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, Stevenson, and Viger.--(29.)

So it passed in the Negative.

The First Resolution was then agreed to.

The Second and Third Resolutions, being read a second time, were agreed to.

The Fourth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bouthillier, Chabot, Fortier, Fournier, Gugy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, McConnell, Merritt, Méthot, Meyers, Morrison, Polette, Price, Prince, Ross, Sauvageau, Smith of DURHAM, Smith of WENTWORTH, Viger, and Wilson.--(26.)³⁰

NAYS.

Messieurs Boulton of TORONTO, Letellier, Mackenzie, McFarland, and Notman.--(5.)
So it was resolved in the Affirmative.

MR. INSP. GEN. HINCKS said with reference to the pension of Vice Chancellor Jameson, the Government had only two courses open to them--to impeach that gentleman, or pension him off. They had thought the latter the better course.³¹

COL. PRINCE said the Government possessed no power of impeachment.³²

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The residue of the said Resolutions, being read a second time, were agreed to.

Civil List
Act Amend-
ment Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to amend the Act for granting a Civil List to Her Majesty.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Bill to reduce
certain Salaries.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to reduce the Salaries attached to certain Judicial Offices, in the cases therein mentioned, and to fix the

Salaries of the Speakers of the Legislative Council and of the Legislative Assembly.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Supply Bill.

Bill, intituled, "An Act for granting to Her Majesty certain sums required for defraying certain Expenses of the Civil Government for the year 1851, and certain other Expenses connected with the Public Service:"

Naval Reserves
Vesting Bill.

Bill, intituled, "An Act for vesting in the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, the Estates and Property therein described, and for granting certain powers to the said Commissioners, and for other purposes therein mentioned:" And also,

Bill relating
to the Great
Cranberry Marsh.

The Legislative Council have passed the Bill, intituled, "An Act to authorize the County of Welland Municipal Council to purchase certain Lands in the said County known as the Great Cranberry Marsh, and for other purposes," with several Amendments, to which they desire the concurrence of this House: And also,

Montreal and
Vermont Rail-
way Bill.

The Legislative Council have passed the Bill, intituled, "An Act to amend and extend the Act incorporating the Montreal and Vermont Junction Railway Company," with several Amendments, to which they desire the concurrence of this House: And also,

Ingrossing and
Inrolling Acts.

The Legislative Council concur in the arrangement contemplated by the Resolutions of the Legislative Assembly on the subject of engrossing and enrolling Acts of the Legislature communicated in their Message to this House, on the eleventh instant.

And then he withdrew.

The Province
Railway Bill.

The Order of the day for the House in Committee on the Bill to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province, being read;

The House accordingly resolved itself into the said Committee.

Mr. Notman took the Chair of the Committee;³³

No opposition was made.³⁴

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Notman reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be received to-morrow.

Assessment Law
(U.C.) Amend-
ment Bill.

The Order of the day for the House in Committee on the Bill to explain and amend the Assessment Law of Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. McConnell took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. McConnell reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. McConnell reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Ways and
Means.

The Order of the day for the House in Committee to consider of Ways and Means for raising the Supply granted to Her Majesty, being read;

The House accordingly resolved itself into the said Committee;

Mr. Bell took the Chair of the Committee; and after some time spent therein,

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Mr. Speaker resumed the Chair;

And Mr. Bell reported, That the Committee had come to several Resolutions.

Ordered, That the Report be received on Monday next.

Jurors Bill
(L.C.).

The Order of the day for the House in Committee on the Bill to amend an Act, intituled, "An Act to regulate the summoning of Jurors in Lower Canada," being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Sherwood took the Chair of the Committee; and after some time

spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Sherwood reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

Tavern Licenses

Laws (U.C.)

Amendment Bill.

The Order of the day for the House in Committee on the Bill to explain and amend the Act of the last Session, intituled, "An Act to amend the Laws relative to Tavern Licenses in Upper Canada," being read;

The House accordingly resolved itself into the said Committee.

Mr. Boulton of Toronto took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Boulton of Toronto reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed and read the third time to-morrow.

Bill relating
to outrages at
Works undertaken
by Incorporated
Companies.

The Order of the day for the second reading of the Bill to continue an Act passed in the eighth year of Her Majesty's Reign, intituled, "An Act for the better preservation of the Peace and the prevention of Riots and violent Outrages at or near Public Works while in progress of construction," and to extend the operation thereof to certain Works undertaken by Incorporated

Companies, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Ordered, That the Resolution of this House, of this day, That it is expedient that the expenses to be incurred in employing the Local Police Force in the preservation of the Peace and the prevention of Riots in places where any Railway, Canal or other Work undertaken by any Incorporated Company may be in progress of construction, should be defrayed in the first instance out of the Consolidated Revenue Fund of this Province, to be afterwards repaid to the Receiver General by such Incorporated Company, be referred to the said Committee.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Malloch took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Malloch reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Bill relating
to Summary
Convictions.

The Order of the day for the House in Committee on the Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to summary convictions and orders, being read;

The House accordingly resolved itself into the said Committee.

Mr. Smith of Frontenac took the Chair of the Committee; and after some time

spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Frontenac reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Bill relating
to Indictable
Offences.

The Order of the day for the House in Committee on the Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences, being read;

The House accordingly resolved itself into the said Committee.

Mr. Smith of Frontenac took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Frontenac reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Smith of Frontenac reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Dickson,
The House adjourned.

FOOTNOTES: 22 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 26 August 1851, MONTREAL GAZETTE, 26 August 1851, EXAMINER, 27 August 1851, HAMILTON SPECTATOR, 27 August 1851, PILOT, 28, 30 August, 1851, and NORTH AMERICAN, 29 August 1851. The debate was also reported by GLOBE, 26 August 1851.
2. NORTH AMERICAN, 29 August 1851, noted that "Mr. Christie moved to reduce all salaries above £500 by 25 per cent."
3. BRITISH COLONIST, 26 August 1851.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. NORTH AMERICAN, 29 August 1851.
13. BRITISH COLONIST, 26 August 1851.
14. IBID.
15. NORTH AMERICAN, 29 August 1851.
16. BRITISH COLONIST, 26 August 1851.
17. NORTH AMERICAN, 29 August 1851.
18. BRITISH COLONIST, 26 August 1851.
19. NORTH AMERICAN, 29 August 1851.
20. BRITISH COLONIST, 26 August 1851.
21. IBID.
22. The following papers reported in error that the vote on this amendment was negatived—"yeas, 19; nays, 32": BRITISH COLONIST, 26 August 1851, MONTREAL GAZETTE, 26 August 1851, EXAMINER, 27 August 1851, HAMILTON SPECTATOR, 27 August 1851, NORTH AMERICAN, 29 August 1851, and PILOT, 30 August 1851.
23. BRITISH COLONIST, 26 August 1851.
24. The following papers noted that 34 members voted against this amendment: BRITISH COLONIST, 26 August 1851, MONTREAL GAZETTE, 26 August 1851, EXAMINER, 27 August 1851, HAMILTON SPECTATOR, 27 August 1851, NORTH AMERICAN, 29 August 1851, and PILOT, 30 August 1851.
25. BRITISH COLONIST, 26 August 1851.
26. IBID.
27. The following was noted in BRITISH COLONIST, 26 August 1851, MONTREAL GAZETTE, 26 August 1851, EXAMINER, 27 August 1851, HAMILTON SPECTATOR, 27 August 1851, NORTH AMERICAN, 29 August 1851, and PILOT, 30 August 1851: "[Only] Messrs. H.J. Boulton and W. Boulton ... [stood] up for ... [the amendment] amid loud ironical cries of hear and laughter."
28. BRITISH COLONIST, 26 August 1851.
29. IBID.
30. The following papers noted that 25 members voted in favour of this resolution: BRITISH COLONIST, 26 August 1851, MONTREAL GAZETTE, 26 August 1851, EXAMINER, 27 August 1851, HAMILTON SPECTATOR, 27 August 1851, NORTH AMERICAN, 29 August 1851, and PILOT, 30 August 1851.
31. BRITISH COLONIST, 26 August 1851.
32. IBID.
33. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 26 August 1851, MONTREAL GAZETTE, 26 August 1851, EXAMINER,

- 27 August 1851, HAMILTON SPECTATOR, 27 August 1851, NORTH AMERICAN, 29 August 1851, and PILOT, 30 August 1851. The debate was also reported by GLOBE, 26 August 1851.
34. BRITISH COLONIST, 26 August 1851, which noted that it was "understood that for the purpose of facilitating the business of the session, any further objections or amendments should be received for the third reading on Tuesday next."

SATURDAY, 23 AUGUST 1851.

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Hopkins,--The Petition of George Sloane and others, of the County of Halton; and the Petition of William Halford and others, of the County of Simcoe.

Public
Business.

Mr. Armstrong moved, seconded by Mr. Bouthillier, and the Question being put, That that part of the Order of the 18th July last, which limits the hour to which this House shall sit on Saturdays, be suspended in so far as regards this day; and that this House do continue to sit this day till midnight, unless previously adjourned; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bouthillier, Cartier, Chabot, Chauveau, Christie, Duchesnay, Fergusson, Fortier, Fourmier, Fourquin, Hincks, Hopkins, Lacoste, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, McConnell, McFarland, Méthot, Meyers, Mongenais, Morrison, Notman, Polette, Richards, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Sherwood of BROCKVILLE, Smith of DURHAM, and Taché.--(34.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Gugy, Attorney General LaFontaine,

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Malloch, Prince, and Viger.--(7.)

So it was resolved in the Affirmative.

Adjournment.

Ordered, That for the remainder of the Session, with the exception of Monday next, when the House doth adjourn, it will adjourn until ten o'clock in the forenoon.

Bill relating
to the Great
Cranberry Marsh.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to authorize the County of Welland Municipal Council to purchase certain Lands in the said County, known as the Great Cranberry Marsh, and for other purposes," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 34. Leave out from "and" to "and" in line 45, and insert "that on such purchase being completed, the said Land shall become vested in said County Council of Welland, to be improved and disposed of by them by sale of the fee or by lease, and for such purpose as the said Council shall be By-Law or By-Laws determine."

Press 2, line 2. Leave out from "the" to "Works" and insert "Commissioners of Public."

Press 2, line 15. After "undertaking" insert Clause (A.)

Clause (A.) "And be it enacted, That the said Commissioners or Building Committee, or the said County Council of Welland, shall make the purchase or other acquisition of the said Land at or before the end of the next Session of the Provincial Parliament."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. McFarland do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Agricultural Societies.

Ordered, That Fifteen hundred copies in French, and Five hundred copies in English, of the Report of the Select Committee to which were referred the annual Report of the Lower Canada Agricultural Society, and the Special Report of the Agricultural Society of the County of Beauharnois, be printed, in pamphlet form, for the use of the Members of this House.

Private or Local Bills.

Resolved, That the time for receiving Reports of Standing and Select Committees on Private or Local Bills be further extended until the twenty-sixth instant.

Seventeenth Report of Committee on Private Bills.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented the House the Seventeenth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to amend the Act of Incorporation of the Niagara Harbour and Dock Company, and have agreed to certain amendments, which they respectfully submit for the consideration of Your Honorable House.

Niagara Harbour and Dock Bill.

Ordered, That the Bill to amend the Act of Incorporation of the Niagara Harbour and Dock Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Montreal and Vermont Railway Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend and extend the Act incorporating the Montreal and Vermont Junction Railway Company," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 45. After "Act" insert Clauses (A.) (B.) and (C.)

Clause (A.) "And be it enacted, That it shall be lawful for any five or more proprietors of shares in the said undertaking, holding together One hundred shares at least, who may be desirous of changing either wholly or in part the course and direction of the said intended Railway between the River Richelieu and the Province Line, to cause a special general meeting of the Proprietors to be held at Bedford, in the County of Missisquoi, for that purpose, at any hour or any day not being a Sunday or Holiday, and in any public house or place designated in a public notice of such meeting, inserted at least once a week in some Newspaper published in the English language, and at least once a week in some Newspaper published in the French language, in the District of Montreal, and also legibly written or printed in both languages, and posted up at the Church doors of Saint Armand West and Stanbridge respectively, during at least four weeks next preceding such day; and if at such meeting it shall be decided by a majority of the votes of those present, either in person or by proxy, that such change is desirable for the interests of the Company, it shall be lawful for the said Company to make such change accordingly: Provided always, that the votes of the Proprietors shall be reckoned, and the majority ascertained, at the said special general meeting, and the same shall be in every respect not herein specially mentioned and provided for, regulated and governed according to the provisions in the said Act contained with reference to special general meetings of the said Proprietors."

Clause (B.) "And be it enacted, That in the event of any such total or partial change as aforesaid being decided upon as aforesaid, the said Company may, by some sworn Land Surveyor for Lower Canada, and by an Engineer or Engineers

by them to be appointed, cause to be taken and made surveys and levels of the lands through which so much of the said intended Railway is to be carried in pursuance of such change, together with a map or plan of so much of the said intended Railway, and of the new course and direction thereof, and of the said lands through which the same is to pass as aforesaid, and the lands intended to be taken as aforesaid for the several purposes authorized by the said first cited Act and by this Act, as far as then ascertained; and also a book of reference for so much of the said intended Railway, in which shall be set forth a description of the said several lands, and the names of the owners, occupiers, and proprietors thereof, so far as they can be ascertained by the said Company, and in which shall be contained every thing necessary for the right understanding of such map or plan; which said map or plan and book of reference shall be examined and certified by the person performing the duties formerly assigned to the Surveyor General or his Deputies, who shall deposit copies thereof in the Office of the Prothonotary of the Superior Court in and for the District of Montreal, and also in the Office of the Secretary of the Province, and shall also deliver one copy thereof to the said Company, and all persons shall have liberty to resort to such copies so to be deposited as aforesaid, and to make extracts or copies therefrom as occasion may require, paying to the said Secretary of the Province or Prothonotary, at the

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rate of sixpence, current money of this Province, for every hundred words; and the said triplicates of the said map or plan and book of reference so certified, and a true copy or copies thereof, certified by the Secretary of the Province or by the Prothonotary of the Superior Court in and for the said District of Montreal, shall severally be, and are hereby declared to be, good evidence in all Courts of Law and elsewhere."

Clause (C.) "And be it enacted, That the said Company, in making the said intended Railway, in the event of the course and direction of so much thereof as aforesaid being either wholly or partially changed as aforesaid, shall not deviate more than a mile from the line of the Railway, or from the places assigned to the several works of the Company in the map or plan and book of reference deposited as aforesaid, nor cut, carry, place, lay down or convey the said Railway into, through, across, under or over any part of the lands or grounds not shewn and mentioned in such map or plan and book of reference as being required for such purpose, or as being within one mile of the said line and of the places assigned therein to the said works respectively, (save in such instances as are herein or in the said Act specially provided for,) without the consent of the party or parties who could under the provisions of the said Act and this Act convey such lands."

Press 2, line 45. After "contained" insert "and save and except that the map or plan and book of reference therein mentioned may be validly made and deposited at any time within one year from the passing of this Act."

Press 2, line 47. Leave out from "circumstances" to "upon" in line 48.

Press 3, line 5. After "tolls" insert Clauses (D.) and (E.)

Clause (D.) "And be it enacted, That no tolls shall be levied or taken by the said Company until approved of by the Governor in Council, nor until after two weekly publications in the Canada Gazette, of the By-Law establishing such tolls, and of the Order in Council approving thereof."

Clause (E.) "And be it enacted, That every By-Law fixing and regulating tolls, shall be subject to revision by the Governor in Council from time to time, after approval thereof as aforesaid; and after an Order in Council reducing the tolls fixed and regulated by any By-Law shall have been twice published in the Canada Gazette, the tolls mentioned in such Order in Council shall be substituted for those mentioned in such By-Law, so long as such Order in Council remains unrevoked."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Badgley do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Bill relating to the Guarding of the Montreal Gaol.

Ordered, That Mr. Solicitor General Drummond have leave to bring in a Bill to provide means to recover from the Corporation of the City of Montreal, part of the expense incurred in guarding the Common Gaol at that place.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Pawnbrokers Bill.

An engrossed Bill for the regulation of Pawnbrokers and Pawnbroking, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Badgley do carry the Bill to the Legislative Council, and desire their concurrence.

The Province Railway Bill.

Mr. Notman reported the Bill to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province; and the amendment was read, and

agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time on Monday next.

Bill relating to Summary Convictions.

Mr. Smith of Frontenac reported the Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to summary convictions and orders; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time on Monday next.

Orders deferred.

Ordered, That such Orders of the day as are undisposed of at the adjournment of the House, this day, be postponed until Monday next.

Bill to define certain rights of Seigniors, &c.

The Order of the day for the House in Committee on the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof, being read;

Mr. Solicitor General Drummond moved, seconded by Mr. Taché, and the Question being proposed, That Mr. Speaker do now leave the Chair;

The Honorable Mr. Viger moved in amendment to the Question, seconded by Mr. Guy, That all the words after "That" to the end of the Question be left out, in order to add the words "fifteen days delay be granted to Messieurs S.C. Monk and T.E. Campbell, who, as well in their own name as in the name of the other Seigniors of Lower Canada, petitioned yesterday, praying that they may be enabled to obtain a hearing by Counsel at the Bar of this House" instead thereof;¹

MR. VIGER ... [presented] arguments to stop the injustice of forcing such a measure as the present without hearing or of expecting any respectable counsel to undertake such a cause without some preparation.²

MR. AT. GEN. BALDWIN said he was deeply sensible that every interest in the country was most thoroughly interested in bringing the whole question of this

tenure to a conclusion during the present session. He felt this so strongly that he was willing to stay for three months longer to get rid of it, and abjured members of all sides to do so.³

MR. SOL. GEN. DRUMMOND said it was impossible to settle a plan of commutation without first defining the rights of the parties. This then was the first step. With regard to a commutation, there was so much difference of opinion that it was quite impossible for the committee to be unanimous, if they sat for six months. There were even a number of persons who were opposed to commutation. In that he thought them wrong; but he was opposed to a compulsory commutation. What he thought would be right would be to make it voluntary on the part of the censitaire, compulsory on the part of the seignior,--that the censitaire should have a certain length of time to commute, after which, if he failed to do so, let the seigniorial system be changed for an annual fixed rent.⁴

MR. BADGLEY was also for a voluntary commutation, and would not vote for the present bill unless it went pari passu with a bill for commutation; and he understood that this was the feeling general among those who voted with him.⁵

MR. SHERWOOD expressed similar views.⁶

MR. CARTIER would vote against the present motion, because he thought it would postpone the consideration of the measure beyond the time when the House ought to be prorogued. He read letters from several seigniors--one from Mr. Comte, the Attorney for the Seminary, who only desired that it might not be applied to their seignior, because there was a law of commutation there. Another from Mr. Frazer, seignior of St. Marie, and Contrecoeur, expressing approbation of the bill, and the hope that it might pass, lest instead of 4 sous per arpent, they might get only 2 sous, which he thought all they were entitled to. For his part, he would not vote for all parts of the bill, especially not for that which gave the seignior the right of retrait and banalité. The first, because he thought the retrait inconsistent with the necessity of concession by the seignior--the other, because banalité was not an inherent right; but a right which might be contracted for. But he contended that in the District of Montreal, what was desired, was commutation--that was the conversion of all dues into fixed rents.⁷

Some words [came] from MR. CHABOT against delay⁸.

MR. SOL. GEN. DRUMMOND showed that the Committee were instructed not only to inquire into the best mode of commutation; but also of determining if there were not some abuses practised by certain seigniors, and if so, to devise a plan of checking such abuses.⁹

MR. CAUCHON read a letter from the Seminary of Quebec, the largest seigniorial proprietor in that District expressing no dissatisfaction with the bill, except that they desired the right to cut wood on certain lands, which were very unlikely to be conceded hereafter on account of their fertility.¹⁰

MR. CHRISTIE read a letter from a gentleman whose name he did not give, complaining of the spoliation to be perpetrated by this bill. He left out many of the adjectives preceding the nouns in this letter, and thus excited much amusement.¹¹

MR. ROSS after giving it as his opinion that the debate was running to such lengths as would, if persisted in, prevent any decision at all this session, repudiated the argument that next session more injustice might be done than would be done this session. That was not a good ground for doing injustice now. However, as to the question of delay, he contended that the exactions of the seigniors had been complained of so long, and had been debated so much during the past and

present session that they had plenty of notice, and that their application ought therefore, to be granted.¹²

MR. AT. GEN. LAFONTAINE spoke in favour of the motion¹³.

COL. GUGY, agreeing with what had been said by Mr. Baldwin, laid before the House a proposal, to which he would move an amendment, if the present amendment failed, declaring that it was not expedient to refer this bill to a Committee of the whole, until the select Committee should have reported a plan of commutation.¹⁴

MR. MACDONALD [Kingston] opposed the motion, because he thought it was keeping open a question, which if agitated during the next four years, would strike at the root of all social comfort in Lower Canada. He desired a system of commutation; but desired that it should be voluntary. If this could not be done, he was not in favour of half measures.¹⁵

MR. CHAUVEAU thought that a bill of commutation presupposed a law defining the rights of the parties.¹⁶

MR. VIGER also spoke at some length in favour of the motion.¹⁷

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Cameron of CORNWALL, Christie, Gugy, and Viger.--(4.)

NAYS.

Messieurs Armstrong, Badgley, Boulton of NORFOLK, Bouthillier, Cauchon, Chabot, Chauveau, Dickson, Solicitor General Drummond, Duchasnay, Fergusson, Fortier, Fournier, Fourquin, Hincks, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, McConnell, Méthot, Mongenais, Morrison, Folette, Richards, Robinson, Ross, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Stevenson, and Taché.--(37.)

So it passed in the Negative.

And the Question being again proposed, That Mr. Speaker do now leave the Chair;

And a Debate arising thereupon;

COL. GUGY then said that if the bill proceed to Committee he should, instead of speaking against time and trying to combat gentlemen opposite on Parliamentary grounds, attempt to make certain amendments; for instance, in the clause which related to the domaine, of the seignior which was too cumbersome; and also with respect to the right of the seigniors to streams. In addition to this, he would be glad to have some pledge that the seigniors would not be ground to powder. What said the Attorney General?¹⁸

MR. SOL. GEN. DRUMMOND said, that he wished to go through Committee that evening, then take up on the question of concurrence, any amendments that might be desired. By that time he promised to be ready with a bill for the commutation.¹⁹

MR. AT. GEN. LAFONTAINE asked whether on his own behalf or that of the Committee?²⁰

MR. SOL. GEN. DRUMMOND could not answer that till he had called the committee together.²¹

MR. AT. GEN. LAFONTAINE thought there should be an answer. It was most astonishing to him that after all this time the Committee did not come forward and say at once whether they could report upon the commutation or not. It was said that he had declared it would take six months to draw a plan of commutation. He said so still, if it were to be done by the Government; by a private hand three months might be enough. But when he spoke this he did not refer merely to the basis of commutation. The basis might be laid down in half an hour. Then, let this basis be determined, and let the two measures go hand in hand together. Both parties must make sacrifices--the seignior and the censitaire. The effect of the present bill would only be to reduce the value of seigniories by one half, and to strip married women, children and widows of their means of subsistence; and while one-half of the House would disappear, the next election and almost all the elections after that; yet the same seed of dissention would still continue. If the Committee were prepared to say that the people were not in favour of commutation let them say so.²²

MR. CHABOT said that the allegations made against the committee would not be sustained by the members of the House. The Committee had worked hard and had reported a bill, and were anxious to report another bill in favour of commutation. But for his own part he did not believe the people of Canada were in favor of a forced commutation; and the attempt to insist upon one was only a mode of getting the declaratory law, which was the first step towards getting a commutation; for who could say what should be the capital, unless it were first known what were the rents.²³

MR. BADGLEY conceived that the question of commutation was spoken of as if it had never been heard of before. Now instead of that it was well known that in France, while the ancient seigniorial tenure was swept away, the rights of the property were preserved. Let not then the Canadian Legislature in time of peace and quiet, make an attack on the rights of property such as the constituent Assembly of France in time of storm and tempest would not have made.²⁴

MR. H. SHERWOOD spoke for some time, endeavouring to show that the House and the Attorney General had pledged themselves to commutation, whereas this bill by declaring the law, was a means to retain it. He then went on to say that the law courts in Lower Canada had sustained the rights of the seigniors as now exercised. By what right then were Upper Canadians asked to decide that the law was different from that which the courts declared to be law? He concluded by expressing his surprise at the manner in which his old friends had deserted the Attorney General.²⁵

MR. SOL. GEN. DRUMMOND said the hon. members for Toronto and Missisquoi had wonderfully changed their minds since they voted for the second reading of the bill. He then repeated some of his principal remarks made in moving the bill.²⁶

DR. BOUTHILLIER, in opposition to the observations of the hon. H. Sherwood on the difference between the hon. member for Montreal and his old friends, remarked that this difference existed only on one point, and that had taken place since last year, when he (Dr. Bouthillier) had felt bound to tell the hon. gentleman that he was acting in opposition to his country.²⁷

MR. AT. GEN. LAFONTAINE ... remarked that no matter, whether on one point or many, they would not have to complain of him long.²⁸

MR. J. CAMERON contended that the Legislature had no rightful power whatever to change the law, as it had been interpreted by the Courts; and this especially because the judgments now rendered had never been appealed from and reversed in the Courts of last resort. After allowing buyers of seigniories to come to the

country and purchase seigniories with these judgments before them unreversed, it was nothing less than spoliation of the very worst kind to deprive these purchasers of the property for which they had given valuable consideration.²⁹

MR. H. BOULTON said, that to call the present act a declaratory law was absurd. No Legislature could declare what was the intention of any preceding Legislature; for instance, no one could declare what the common law was. He thought the House could not declare that the judges had decided according to law; but that, as it appeared, there was some difficulty about the tribunal which had formerly existed, viz: the Governor and Intendant, it was proper to appoint another tribunal with sufficient power to declare what the law was.³⁰

MR. AT. GEN. BALDWIN showed it was the custom in England, when the common law had fallen into disuse, to declare what it was, in perpetuam rei memoriam; but in this case the difficulty was to know what the law was; for there appeared to be decisions, which were said on one side to be all one way, and on the other side to be doubtful. He asked whether Mr. Drummond could not bring in a bill on his own responsibility, if the Committee could not report?³¹

MR. SOL. GEN. DRUMMOND said yes; but he believed he could answer for the Committee reporting on Monday.³²

MR. AT. GEN. BALDWIN then hoped that the bill would be brought in, and passed pari passu with the bill now before the House. He warned the House that this was a question, which could only be settled by compromise, and entreated them to settle the whole question, at once, by a compromise. He did not think it could take very long to arrange a bill containing the basis.³³

MR. INSP. GEN. HINCKS mentioned his opinion that the present bill was a compromise; and went on to say that the difficulty of the settlement asked for by the Attorney General was this, that he did not believe the people were in favour of compulsory commutation; and he judged from the fact in the seigniority in Montreal, where commutation might take place on favourable terms, none had taken place. The whole thing, however, hinged upon the question of this bill; for the commutation must proceed upon the ascertained rights of the parties. He then repeated the arguments alluded to before, in favour of declaring that seigniors must concede at certain rates.³⁴

A much longer discussion took place without any new argument being brought out.³⁵

MR. DUCHESNAY said he should have preferred not to be in a position to vote upon a question which affected so materially not only his own personal interests, but also those of the class of persons to which he belonged, the seigniors. But when he reflected on the circumstances under which he was elected he must forego, on the present occasion, the objections that he might otherwise urge against the bill, or some of the details, and must discharge the important mission which had been intrusted to him, by giving his vote more in accordance with the views of the people of the county which he had the honour to represent than according to his own interests or feelings.³⁶

COL. GUGY withdrew his motion.³⁷

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On motion of Mr. Solicitor General Drummond, seconded by the Honorable Mr. Hincks,

Ordered, That the Debate be adjourned until Monday next, and be then the first Order of the day.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Cauchon, The House adjourned until Monday next.

[WITHDRAWN PETITION RE: SALARY OF B. LINDSAY.]³⁸

MR. BADGLEY presented a petition from Mr. B. Lindsay, junior assistant law clerk, praying for an increase of salary and moved the reception by the House.³⁹

Several gentlemen here reminded the House that a resolution had been carried in a preceding session declaring that if any clerk were dissatisfied with his salary he should be at liberty to retire. This resolution, they said, was passed to prevent constant applications from clerks of the House, and they thought it would be desirable for the interest of Mr. Lindsay that his petition should be withdrawn.⁴⁰

MR. BADGLEY replied that the resolution was passed merely to prevent importunities addressed to individual members. The contingent committee had lately reported in favour of an increase of salaries of several clerks, all performing duties of a far less responsible character than those of Mr. Lindsay, of which salaries would now be raised to the same amount as his--that the duties of the officers, whose salaries were thus recommended to be raised, were most of them merely mechanical while Mr. Lindsay, after the clerk, held the second most important place in the service of the House, as he had frequently, under the superintendence of his chief to draw bills and perform other work of very great consequence. He therefore naturally tho't when other officers were promoted, that it was a slight to him if he were not promoted also.⁴¹

MR. CHRISTIE said that the committee had applied to the clerk to recommend any deserving officers. He had probably not recommended the petitioner for the reason that he was his own son.⁴²

Eventually it was understood that the contingent committee would look into the case and the petition was withdrawn.⁴³

FOOTNOTES: 23 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 26 August 1851, GLOBE, 26 August 1851, HAMILTON SPECTATOR, 27 August 1851, EXAMINER, 27 August 1851, MONTREAL GAZETTE, 28 August 1851, PILOT, 30 August 1851, NORTH AMERICAN, 5 September 1851, LA MINERVE, 30 August 1851, and JOURNAL DE QUEBEC, 6 September 1851.
2. BRITISH COLONIST, 26 August 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
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32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. The following papers reported the debate on this withdrawn petition in identical accounts: BRITISH COLONIST, 26 August 1851, and GLOBE, 26 August 1851.
39. BRITISH COLONIST, 26 August 1851.
40. IBID.
41. IBID.
42. IBID.
43. IBID.

MONDAY, 25 AUGUST 1851.

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Supervisor
of Cullers
Accounts.

MR. SPEAKER laid before the House, the Accounts of the Supervisor of Cullers, for the year 1850.

Appendix (L.L.L.)

For the said Accounts, see Appendix (L.L.L.).

Petition
brought up.

The following Petition was brought up, and laid on the table:--

By Mr. Fortier,--The Petition of Thomas Trigge, in his capacity of Tutor to his son Alfred Trigge, a minor, and of Henry Wulff Trigge being Seigniors and Proprietors of five divided sixth parts of the Seignior of Nicolet, and of the right of banality over the whole of the said Seignior.

Petitions
read.

Pursuant to the Order of the day, the following Petitions were read:--

Of John Harris, Moderator, and Thomas C. Davidson, Clerk, on behalf of the Grand River Association of Regular Baptists; praying for the abolition of the Rectories, and the appropriation of the Clergy Reserves to purposes of General Education.

Of George Sloane and others, of the County of Halton; and of William Halford and others, of the County of Simcoe; praying that the Provincial Medical Board may be elected by the Medical men in their respective Townships,--that the teaching of Medicine be left open to competition,--that the Endowment of the Toronto University be reinvested in the Crown, and an annual appropriation made to the said University, and the residue of the disposable funds distributed for Educational purposes.

Ordered, That the Petition of Thomas Trigge, in his capacity of Tutor to his son Alfred Trigge, a minor, and of Henry Wulff Trigge on his own behalf, the said Alfred Trigge and Henry Wulff Trigge being Seigniors and Proprietors of five divided sixth parts of the Seignior of Nicolet, and of the right of banality over the whole of the said Seignior, be now received and read; and the Rules of this House suspended as regards the same.

And the said Petition was received and read; setting forth: That the Petitioners have recently learnt that a Bill is before the House, proposing to define certain rights of Seigniors and Censitaires in Lower Canada, the details of which Bill are deeply injurious to the property of the Petitioners, the greater portion of which was acquired by purchase under a judicial sale: That in addition to the many thousand pounds invested in the purchase and improvement of the said property, large payments have been made to the Government for the duty of Quint, and thus especially entitling its holders to the protection of the Government and the Laws: That the Petitioners respectfully submit that the change of Seignioral Tenure has heretofore been effected by an equitable scale of commutation; and praying the same just considerations may govern any Laws to be framed thereupon, and that the said Bill may not be enacted, as introduced before the House.

Petition to
be printed.

Ordered, That the said Petition be printed for the use of the Members of this House.

On motion of Mr. Wilson, seconded by Mr. Dickson,

Petition
of H. Allen.

Ordered, That the Order of this House, of the thirteenth instant, that the Petition of Henry Allen, of the City of Toronto, Esquire, Barrister, and heretofore Judge of the District of London, be printed for the use of the Members of this House, be rescinded.

On motion of Mr. Fortier, seconded by Mr. Ross,

Tax upon Lands
in the Eastern
Townships.

Resolved, That this House do now resolve itself into a Committee, to consider the expediency of imposing a limited annual Tax upon the Lands situate in the various Townships of the Counties of Nicolet, Megantic, Drummond, Sherbrooke, and Stanstead, or in any part thereof, to be applied to the completion and opening up of extensive means of communication in those localities.

The House accordingly resolved itself into the said Committee.

Mr. Duchesnay took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Duchesnay reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

On motion of Mr. Chauveau, seconded by Mr. Solicitor General Drummond,

Library.

Ordered, That the First Report of the Joint Committee appointed by the Legislative Council and Legislative Assembly for the management and direction of the Parliamentary Library, be now taken into consideration.

The House proceeded accordingly to take the said Report into consideration.

And the same being read;

Resolved, That this House doth concur with the Committee in the said Report.

Resolved, That this House receives with much satisfaction, the intelligence of the munificent donations which have been made in aid of the re-construction of the Parliamentary Library, by the Speaker of the House of Lords, the Houses of Congress of the United States, the Legislature of the State of Vermont, the Legislature of the State of New York, the Legislative Council of Nova Scotia, and the House of Assembly of Jamaica.

Resolved, That this House desires, furthermore, to record its thankful appreciation of the liberality of the undermentioned gentlemen, in contributing donations of Books for a similar purpose, viz:--Of E.B. O'Callaghan, Esquire, M.D., of Albany, and of Colonel G.F. Houghton, of St. Albans, Vermont.

General Index.

Resolved, That Mr. Speaker be authorized to direct the compilation of a General Index to the Journals of this House, from the Union to the close of the present Session, upon such a plan and at such terms as he may deem expedient; the same when completed to be printed for the use of the Members of this House.

Supervisor
of Cullers'
Accounts.

Ordered, That the Accounts of the Supervisor of Cullers, for the year 1850, be printed for the use of the Members of this House.

On motion of Mr. Stevenson, seconded by Mr. McConnell,

Bill relating
to the Provin-
cial Statutes.

Ordered, That the Order of the day for the second reading of the Bill to repeal part of the Act therein mentioned, relative to the printing and distribution of the Provincial Statutes, be now read;

And the said Order being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time on Wednesday next.

Tavern Keepers,
&c. Licenses
Bill.

An engrossed Bill to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of

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Intemperance, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Ways and Means.

Mr. Bell, from the Committee to consider of Ways and Means for raising the Supply granted to Her Majesty, reported several Resolutions; which were read, as follow:--

1. Resolved, That towards making good the Supply granted to Her Majesty, the sum of One hundred and eighty-three thousand six hundred and eighty-one pounds thirteen shillings, currency, be granted out of the Consolidated Revenue Fund of this Province not otherwise appropriated.
2. Resolved, That towards making good the Supply granted to Her Majesty, the sum of Four thousand pounds, currency, be granted out of the Jesuits' Estates Fund.
3. Resolved, That towards raising the Supply granted to Her Majesty, the sum of One hundred and ninety-six thousand five hundred and eighty pounds fifteen shillings and two pence, currency, be raised by Debentures for the service of the year 1851.
4. Resolved, That towards making good the sum voted by this House towards defraying the share of this Province in the expenses of constructing the main Trunk Line of Railway from Halifax to Quebec, and the expenses of continuing the said main Trunk Line of Railway from Quebec to the City of Hamilton, or some other convenient point on the line of the Great Western Railway, a sum not exceeding Four millions of pounds, currency, be raised under the authority and with the guarantee of the Parliament of the United Kingdom, or as a Loan from the Government of the said United Kingdom, under the authority aforesaid; the sum so raised, and the interest thereon, to be secured upon the Consolidated Revenue Fund of this Province, and to be the first charge thereon after any existing debts of the Province and payments on account of the Civil Lists settled on Her Majesty by Laws now in force: and that any part of the said sum which shall not be raised in the manner aforesaid, be raised by Loan, one-half upon the credit of the said Consolidated Revenue Fund, by Debentures to be issued in the usual manner, and the other half upon the credit of a Special Fund to be called the Railway Municipal Subscription Fund, and to be formed of the several sums subscribed by Municipal Corporations in this Province towards the expenses of making the said main Trunk Line of Railway from Quebec to Hamilton, or any portion thereof.

The said Resolutions, being read a second time, were agreed to.

The Province
Railway Loan
Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill for raising, by way of Loan, a sum not exceeding Four millions of pounds, currency, for making a main Trunk Line of Railway throughout the length of this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Debentures
Bill.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill for raising on the Credit of the Consolidated Fund, a certain Sum required for the Public Service.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time to-morrow.

Jurors
Bill (L.C.).

The Honorable Mr. Sherwood reported the Bill to amend an Act, intituled, "An Act to regulate the summoning of Jurors in Lower Canada," and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

L'Islet
Game Bill.

The Order of the day for the second reading of the Bill to repeal the Act for the protection of certain species of Game in the County of L'Islet, and to enable the Municipalities of the said County to make regulations for that purpose, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Parishes,
Churches, &c.,
Erection Bill.

The Order of the day for the House in Committee on the Bill to amend the Act to continue and amend the Ordinance concerning the erection of Parishes, Churches and Church Yards in Lower Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Richards took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Richards reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Justices of the
Peace (U.C.)
Fees Bill.

The Order of the day for the House in Committee on the Bill to establish an uniform rate of Fees to be received by Justices of the Peace in Upper Canada, and to repeal the Act of Upper Canada passed in the fourth year of the Reign of King William

the Fourth, chapter seventeen, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Badgley took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Badgley reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Montmorency
Bridge Bill.

The Order of the day for the second reading of the Bill to authorize the Trustees of the Quebec Turnpike Roads to issue Debentures to a limited amount, for the purpose of buying and rebuilding the Montmorency Bridge, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Sherwood of Brockville took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sherwood of Brockville reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Bill relating
to Grammar
Schools (U.C.).

The Order of the day for the House in Committee on the Bill to repeal the provision limiting the distance between the County Town and any additional Grammar School in the same County, in

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Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Notman took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Notman reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Notman reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Library Associations and Mechanics' Institutes' Bill.

The Order of the day for the House in Committee on the Bill to provide for the incorporation and better management of Library Associations and Mechanics' Institutes, being read;

The House accordingly resolved itself into the said Committee.

Mr. Lacoste took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lacoste reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Insolvent Debtors Bill.

The Order of the day for the second reading of the Bill to extend the provisions of the Insolvent Debtors' Act, and to afford relief to a certain description of persons therein named,

being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for to-morrow.

Quebec Turnpike Roads Bill.

The Order of the day for the House in Committee on the Bill to authorize the Quebec Turnpike Road Trustees to effect a new Loan, and to extend the provisions of the Quebec Turnpike Road Ordinance to certain other Roads, being read;

Ordered, That it be an Instruction to the Committee to amend the Bill, by inserting the word "firstly" after the words "that is to say" in the 18th line of the first Clause; also, by inserting after the word "Stoneham" at the end of the first Clause, the words "and secondly, the Road leading past the Grist Mill belonging to the Government in the Parish of L'Ancienne Lorette, to the Road between the Seigniories of St. Gabriel and Guadarville, from its junction with the public Road already under the control of the said Quebec Turnpike Trustees, for a distance of one mile and a half;" and leaving out the words after "shall" in the 27th line of the second Clause to the end thereof, and inserting the words "as regards both the payment of the interest and the principal thereof, rank after those issued under the authority of the Act 12 Vic. cap. 115."

The House then resolved itself into the said Committee.

Mr. Mongenais took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Mongenais reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Mongenais reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Jury Laws (L.C.)
Amendment Bill.

The Order of the day for the second reading of the Bill to amend the Jury Laws in Lower Canada, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Lessors and
Lessees Bill.
(L.C.).

The Order of the day for the House in Committee on the Bill to amend the Act to regulate the exercise of certain rights of Lessors and Lessees in Lower Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Dickson reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Dickson reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Bill to correct
a Clerical error
in the Act 13 &
14 Vic. cap. 96.

The Order of the day for the second reading of the Bill to correct a clerical error in the English version of the Act of last Session exempting Masters of Vessels belonging to Lower Canada from taking Pilots in certain cases, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Bill relating
to certain
Judgments in
Lower Canada.

The Order of the day for the House in Committee on the Bill to render executory certain Judgments in Lower Canada, and to provide more effectually to enforce Judgments in case of resistance, being read;

The House accordingly resolved itself into the said Committee.

Mr. Letellier took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Letellier reported, That the Committee had gone through the Bill and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Letellier reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Bill relating
to Securities
to the Crown.

The Order of the day for the second reading of the Bill to declare that Bonds and other personal Securities to the Crown shall constitute no incumbrance upon the Real Estates of parties thereto, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Patent
Office Bill.

The Order of the day for the second reading of the Bill to promote the progress of the useful Arts by the establishment of a Patent Office (in connection with the Provincial Secretary's

Office,) and a Museum, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Bill relating
to navigable
Rivers and
Rivulets (L.C.).

The Order of the day for the second reading of the Bill to amend an Act passed in the thirteenth and fourteenth years of Her Majesty's Reign, relating to Agriculture in Lower Canada, in so far as the said Act concerns navigable Rivers and Rivulets, and the banks thereof used in the floating and conveyance of Wood and Timber, being read;

Mr. Christie moved, seconded by Mr. Armstrong, and the Question being proposed,

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That the Bill be now read a second time;

Mr. Laurin moved in amendment to the Question, seconded by Mr. Fournier, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bouthillier, Fergusson, Fortier, Fournier, Fourquin, Hall, Hincks, Laurin, Mackenzie, Mongenais, Notman, and Scott of TWO MOUNTAINS.--(12.)

NAYS.

Messieurs Armstrong, Badgley, Bell, Cauchon, Cayley, Chauveau, Christie, Dickson, Duchesnay, LaTerrière, Lemieux, Letellier, Malloch, McConnell, McFarland, McLean, Méthot, Polette, Prince, Robinson, Sanborn, Sauvageau, Seymour, Stevenson, and Taché.--(25.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Bell, Cauchon, Cayley, Chauveau, Christie, Dickson, Duchesnay, LaTerrière, Lemieux, Letellier, Malloch, McConnell, McFarland, McLean, Méthot, Polette, Prince, Robinson, Sanborn, Sauvageau, Seymour, Stevenson, and Taché.--(25.)

NAYS.

Messieurs Bouthillier, Fergusson, Fortier, Fournier, Fourquin, Hall, Hincks, Laurin, Mackenzie, Mongenais, Notman, and Scott of TWO MOUNTAINS.--(12.)
So it was resolved in the Affirmative.

The Bill was accordingly read a second time.

Mr. Christie moved, seconded by Mr. Letellier, and the Question being put, That the Bill be now committed to a Committee of the whole House; the House divided:--And it was resolved in the Affirmative.

The House accordingly resolved itself into the said Committee.

Mr. Bell took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Bell reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Bell reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Bill to enable
certain married
Women to convey
Real Estate.

The Order of the day for the House in Committee on the Bill to enable Married Women resident in foreign countries to convey Real Estate of which they are seized in the Province of Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Laurin took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Laurin reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Laurin reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Wolfe Island,
Kingston and
Toronto Rail-
road Bill.

The Order of the day for the second reading of the Bill to revive and amend the Act incorporating the Wolfe Island, Kingston, and Toronto Railroad Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads and Telegraph Lines.

Great Western
Railroad Acts
Consolidation
Bill.

The Order of the day for the House in Committee on the Bill to consolidate such of the provisions of the several Acts relative to the Great Western Railroad Company as are now in force, being read;

Ordered, That the said Order be discharged.

Toronto Tem-
perance Refor-
mation Society
Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Temperance Reformation Society of the City of Toronto," being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee, and that the Rules of the House be suspended as regards the said Bill.

The House accordingly resolved itself into the said Committee.

Mr. McLean took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. McLean reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be read the third time to-morrow.

Richmond and
Stanstead Cir-
cuit Court Bill.

The Order of the day for the House in Committee on the Bill to increase the number of sittings of the Circuit Court at Richmond and Stanstead, being read;

The House accordingly resolved itself into the said Committee.

Mr. Lyon took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Lyon reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Bill to amend
the Law respec-
ting Protests.

The Order of the day for the House in Committee on the Bill to amend the Law respecting the Protesting of Bills of Exchange and Promissory Notes, being read;

The House accordingly resolved itself into the said Committee.

Mr. Scott of Two Mountains took the Chair of the Committee; and after some time

spent therein,

Mr. Speaker resumed the Chair;

And Mr. Scott of Two Mountains reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Niagara Harbour
and Dock Bill.

The Order of the day for the House in Committee on the Bill to amend the Act of Incorporation of the Niagara Harbour and Dock Company, being read;

The House accordingly resolved itself into the said Committee.

Mr. Mackenzie took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Mackenzie reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

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Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz;--

Emigrant Act
Amendment Bill.

Bill, intituled, "An Act to amend the Emigrant Act, by reducing the Tax on Emigrants coming into this Province, and for other purposes:"

Bill relating
to Chartered
Banks.

Bill, intituled, "An Act to exempt the several Chartered Banks from the Tax on their Circulation, on certain conditions.

Freedom of
Banking Bill.

Bill, intituled, "An Act to amend the Act to establish Freedom of Banking in this Province:"

Local Police
Force Bill.

Bill, intituled, "An Act to authorize the employment of Military Pensioners and others as a Local Police Force:"

Bill relating
to Recorders'
Courts (U.C.).

Bill, intituled, "An Act to authorize the payment of certain expenses of the Administration of Justice in the Recorders' Courts in Upper Canada, out of the Consolidated Revenue Fund of this Province:"

Bill relating
to Patents for
Inventions.

Bill, intituled, "An Act to enable parties holding Patents for Inventions confined to one Section of this Province, to obtain the extension of the same to the other Section thereof, and for other purposes therein mentioned:" And also,

Bill relative
to the Election
of Members in
certain Town-
ships.

The Legislative Council have agreed to the Amendments made by this House to their Amendments to the Bill, intituled, "An Act to fix the place for holding the Polls for the Election of Members of Parliament in Townships divided into Wards, in Upper Canada, and for other purposes relative to Elections," without any Amendment: And also,

St. Lawrence
and Lake Cham-
plain Railroad
Branch Bill.

The Legislative Council have agreed to the Amendments made by this House to their Amendment to the Bill, intituled, "An Act to empower the Company of Proprietors of the Champlain and Saint Lawrence Railroad to make a Branch Road, and for other purposes," without any Amendment: And also,

Montreal Cor-
poration Bill.

The Legislative Council have passed the Bill, intituled, "An Act to amend and consolidate the provisions of the Ordinance

to incorporate the City and Town of Montreal, and of a certain Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

Normal School
Bill (L.C.).

The Order of the day for the House in Committee on the Bill to provide for the establishment of a Normal School, and further to promote Education in Lower Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Seymour took the Chair of the Committee;¹

MR. FOURNIER opposed that clause in the bill, which made Magistrates, Ex-Officio Inspectors². This was overruled and the bill passed through ... [the Committee]³.

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Seymour reported, That the Committee had gone through the Bill, and made amendments thereunto.⁴

Ordered, That the Report be received to-morrow.

Bill relating
to Outrages at
Works under-
taken by Incor-
porated Com-
panies.

An engrossed Bill to continue an Act passed in the eighth year of Her Majesty's Reign, intituled, "An Act for the better preservation of the Peace and the prevention of Riots and violent Outrages at and near Public Works while in progress of construction," and to extend the operation thereof to certain Works undertaken by Incorporated Companies, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Tavern Lic-
ences Laws
(U.C.) Amend-
ment Bill.

An engrossed Bill to explain and amend the Act of the last Session, intituled, "An Act to amend the Laws relative to Tavern Licenses in Upper Canada," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Civil List
Act Amend-
ment Bill.

The Order of the day for the second reading of the Bill to amend the Act for granting a Civil List to Her Majesty, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Smith of Wentworth took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Smith of Wentworth reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Smith of Wentworth reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Bill to reduce certain Salaries. *The Order of the day for the second reading of the Bill to reduce the Salaries attached to certain Judicial Offices, in the cases therein mentioned, and to fix the Salaries of the Speakers of the Legislative Council and of the Legislative Assembly, being read; The House accordingly resolved itself into the said Committee.*
*Mr. Prince took the Chair of the Committee;*⁵

MR. J. CAMERON moved an amendment to exempt Mr. Justice Spragge from the reduction intended to be imposed upon new Judges.⁶

MR. RICHARDS contended that the House had already opposed this reduction; and that Mr. Spragge could not complain; seeing that he had accepted the place with the full understanding that the reduction was to take place.⁷

MR. MACDONALD [Kingston] thought that the huckstering with a judge was excessively unhandsome, and that Mr. Spragge ought to have the allowance provided by law at the same time when he was appointed.⁸

MR. CHRISTIE took the same view of the case, which was combatted by MESSRS. INSP. GEN. HINCKS and SOL. GEN. MACDONALD.⁹

MR. MACKENZIE taunted honorable members opposite with showing practically, by their course upon this measure, that they were altogether insincere in the desire which they had professed some time before for retrenchment. Nothing more was needed to prove that the economical professions of the Tories was manufactured for electioneering purposes and nothing else.¹⁰

*The amendment having been negatived, the various clauses of the bill were agreed to.*¹¹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Prince reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Prince reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Bill relating to the Election of Members. *The Order of the day for the second reading of the Bill to amend the Laws regulating the Election of Members in certain Counties in so far as relates to the return of Writs, being read;*

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Macdonald took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Macdonald reported, That the Committee had gone through

the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

The Honorable Mr. Macdonald reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

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Agricultural
Societies (U.
C.) Organ-
ization Bill.

The Order of the day for the House in Committee on the Bill to provide for the better organization of Agricultural Societies in Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Sauvageau took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Sauvageau reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Sauvageau reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Private Luna-
tic Asylums
Bill.

The Order of the day for the House in Committee on the Bill for the regulation of Private Lunatic Asylums, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Merritt took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Merritt reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received to-morrow.

Indians in
Lower Canada.

The Order of the day for the House in Committee to consider the expediency of providing out of the Consolidated Revenue Fund of the Province, an annual appropriation for the use of the

Indians in Lower Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Fergusson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Fergusson reported, That the Committee had come to a Resolution.

Ordered, That the Report be received to-morrow.

Bill relating
to Foreign Ex-
ecutors, &c.

The Order of the day for the House in Committee on the Bill to remove doubts regarding the right and liability of Foreign Executors, Administrators and Corporations, to sue and be sued in Lower Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Dickson reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Dickson reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Registration of Deeds Bill (L.C.).

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," being read;

The House accordingly resolved itself into the said Committee.

Mr. Fortier took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Fortier reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the said Committee have leave to sit again to-morrow.

On motion of the Honorable Mr. Sherwood, seconded by the Honorable Mr. Badgley,

Action of Ejectment Bill.

Ordered, That the Order of the day for the House in Committee on the Bill to alter and settle the mode of proceeding in the Action of Ejectment, be now read;

And the said Order being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Badgley took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Badgley reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be received to-morrow.

Ordered, That the Bill, as amended, be printed for the use of the Members of this House.

Second Report of Committee on Seigniorial Tenure.

Mr. Solicitor General Drummond, from the Select Committee to which were referred the Resolutions adopted by this House on the 26th June, 1850, relating to the Seigniorial Tenure in Lower Canada, and other references, with an Instruction to the said Committee, and with power to report from time to time, by Bill or otherwise, presented to the House the Second Report of the said Committee; which was read, as followeth:--

The majority of Your Committee are of opinion that the Bill already introduced by Your Committee is the only Legislative measure which it is urgently necessary to adopt during the present Session, with regard to property held en fief and en roture, in Lower Canada.

Your Committee, taking into consideration the diversity of opinions existing not only with respect to the advantages which would result from the commutation of the Seigniorial Tenure, but also with respect to the means to be adopted for its attainment, would have preferred to have submitted for a year to public discussion, any plan of commutation proposed, before giving it the sanction of the Legislature.

But Your Committee, desirous of meeting the wishes expressed by several Members of Your Honorable House, have drawn up a Bill, which, although not approved of by all the members of Your Committee, would appear to afford to the Censitaires of Lower Canada the means of commuting the said Tenure, without causing any serious damage to the proprietors of Seigniories, or to any other class of persons interested in the matter.

And while submitting this plan to the consideration of Your Honorable House, the majority of Your Committee persist in the opinion, that it would be more advisable

to adopt the Bill, the intention whereof is to put an end to the abuses of the Seigniorial Tenure, and to leave to the country until next Session the Bill accompanying this Report, and the object whereof is the gradual abolishment of that Tenure.¹²

The report of the Committee was not universally adopted, some members thinking it would be better to let the declatory bill be passed alone.¹³

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Seigniorial
Tenure Com-
mutation Bill.

Mr. Solicitor General Drummond then presented to the House, a Bill to facilitate the redemption of Seigniorial rights in Lower Canada, and to convert the Tenure of Lands chargeable therewith into that of franc aleu roturier, which was received and read for the first time;

MR. SOL. GEN. DRUMMOND moved that it be placed the second of the items of the orders of the day on Tuesday. He desired to have it brought on in the morning. He was aware that it was inconvenient for the Government to allow the House to meet in the morning, but still he thought it a matter of so much importance there could be no objection.¹⁴

MR. AT. GEN. LAFONTAINE objected to this, as it would be making it a Government measure, and he (Mr. L.) would never consent to it. It would be highly inconsistent to meet to-morrow morning and to put the Seigniorial Bill in the position proposed would be to obstruct Government measures. These Bills must stand for an ordinary day.¹⁵

MR. H. BOULTON said it would be unfair ... [to refer the second reading to] a Government day.¹⁶

Some remarks [came] from MR. H. SHERWOOD and other members in favour of the indulgence of the House, and the bill being gone on with as soon as possible.¹⁷

MR. SOL. GEN. DRUMMOND said that the House had imposed upon him a difficult and arduous task that he might well have shrank from, but he had promised to bring forward a bill for commutation and he had done so. (Cheers.) He could hardly believe that the House had acted only in jest in imposing upon him such a task and he thought he had the right to expect that no difficulties would be thrown in the way. He felt grateful to hon. gentlemen opposite for the remarks that had fallen from them and the difficulties they seemed disposed to afford him.¹⁸

MR. MACKENZIE made a few remarks urging the immediate settlement of the question, if revolutionary scenes, such as had taken place in other countries, were to be avoided.¹⁹

It was finally agreed that the Bill should be brought up on Tuesday, after the Government measures had been gone through. But it was not agreed that it should have any precedence on the order of the day.²⁰

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and ordered to be read a second time to-morrow.

Seigniorial
Tenure.

Ordered, That the Second Report of the Select Committee on Seigniorial Tenure in Lower Canada, be printed for the

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use of the Members of this House.

On motion of Mr. Prince, seconded by the Honorable Mr. Sherwood,

Chancery De-
crees and Or-
ders Bill (U.C.).

Ordered, That the Order of the day for the House in Committee on the Bill to confirm Decrees and Orders, and other proceedings of the Court of Chancery of Upper Canada, in certain cases, be now read.

And the said Order being read;

The House accordingly resolved itself into the said Committee.

Mr. Hopkins took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Hopkins reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Hopkins reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed and read the third time to-morrow.

School Acts (L.C.)
Amendment Bill.

The Order of the day for the second reading of the Bill to amend and explain the School Acts in force in Lower Canada, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

Two Bill rela-
ting to Impris-
onment for Debt.

The Order of the day for the House in Committee on the Bill for abolishing imprisonment for Debt in Upper Canada, and on the Bill to abolish imprisonment for Debt except in cases of fraud, and to render the remedy by Writs of Execution in Upper Canada more effectual, being read;

The House accordingly resolved itself into the said Committee.

Mr. Smith of Wentworth took the Chair of the Committee;²¹

A desultory conversational discussion took place in committee²².

[The first of the two Bills] was opposed by MR. RICHARDS and others, and supported by MR. MERRITT, MR. G. SHERWOOD and COL. PRINCE.²³

An amendment, that the Committee do rise, was carried²⁴.

MR. MORIN the SPEAKER ... [resumed] the Chair²⁵.

MR. WILSON ... [objected] that the committee had had two bills under consideration, and that the amendment applied only to one of them.²⁶

MR. MORIN the SPEAKER decided, however, that the amendment "the Committee do rise," applied to both Bills, as both Bills were under consideration at the time.²⁷

MR. WILSON [made some further remarks]²⁸.

The Committee rose without reporting.²⁹

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and after some time spent therein,

Mr. Speaker resumed the Chair.

Official Sal-
aries Seiz-
ure Bill.

Mr. Scott of Two Mountains moved, seconded by Mr. Cauchon, and the Question being proposed, That the Order of the day for the House in Committee on the Bill to enable the Judgment Creditors of Public Officers to seize a portion of the Salaries

and Emoluments of such Officers in certain cases, be now read;

Mr. Wilson moved in amendment to the Question, seconded by the Honorable Mr. Cameron of Cornwall, That all the words after "That" to the end of the Question be left out, in order to add the words "the remaining Orders of the day be postponed until to-morrow" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Cameron of CORNWALL, Chauveau, Christie, Duchesnay, Fergusson, Hall, Hopkins, Letellier, Solicitor General Macdonald, Malloch, McLean, Merritt, Meyers, Prince, Sherwood of BROCKVILLE, Smith of FRONTENAC, Smith of WENTWORTH, and Wilson.--(19.)

NAYS.

Messieurs Fournier, LaTerrière, Laurin, McConnell, Mongenais, Richards, Sanborn, Scott of TWO MOUNTAINS, Seymour, Stevenson, and Taché.--(11.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Orders
deferred.

Then, on motion of the Honorable Mr. Boulton, seconded by
Mr. Christie,
The House adjourned.³⁰

FOOTNOTES: 25 AUGUST 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 26 August 1851, EXAMINER, 27 August 1851, MONTREAL GAZETTE, 29 August 1851, HAMILTON SPECTATOR, 30 August 1851, PILOT, 2 September 1851, and NORTH AMERICAN, 5 September 1851.
2. HAMILTON SPECTATOR, 30 August 1851.
3. IBID.
4. The papers reporting on this matter noted in identical accounts that "the bill passed through in its original shape."
5. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 26 August 1851, GLOBE, 26 August 1851, EXAMINER, 27 August 1851, MONTREAL GAZETTE, 29 August 1851, HAMILTON SPECTATOR, 30 August 1851, PILOT, 2 September 1851, and NORTH AMERICAN, 5 September 1851.
6. HAMILTON SPECTATOR, 30 August 1851.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 26 August 1851, GLOBE, 26 August 1851, EXAMINER, 27 August 1851, MONTREAL GAZETTE, 29 August 1851, HAMILTON SPECTATOR, 30 August 1851, PILOT, 2 September 1851, and NORTH AMERICAN, 5 September 1851.
13. HAMILTON SPECTATOR, 30 August 1851.
14. IBID.
15. IBID.
16. GLOBE, 26 August 1851.
17. HAMILTON SPECTATOR, 30 August 1851.
18. IBID.
19. IBID.
20. IBID.
21. The debate on this matter was reported by GLOBE, 26 August 1851. The following papers noted the debate in identical accounts: BRITISH COLONIST, 26 August 1851, EXAMINER, 27 August 1851, MONTREAL GAZETTE, 29 August 1851, HAMILTON SPECTATOR, 30 August 1851, PILOT, 2 September 1851, and NORTH AMERICAN, 5 September 1851.
22. HAMILTON SPECTATOR, 30 August 1851.
23. GLOBE, 26 August 1851.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. HAMILTON SPECTATOR, 30 August 1851.
30. GLOBE, 26 August 1851, noted that the House "adjourned at half past 10."

TUESDAY, 26 AUGUST 1851.

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Assessment Law
(U.C.) Amend-
ment Bill.

AN engrossed Bill to explain and amend the Assessment Law of Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Montmorency
Bridge Bill.

An engrossed Bill to authorize the Trustees of the Quebec Turnpike Roads to issue Debentures to a limited amount, for the purpose of buying and rebuilding the Montmorency Bridge, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cauchon do carry the Bill to the Legislative Council, and desire their concurrence.

Bill to correct
a Clerical error
in the Act 13
and 14, Vic.
cap. 96.

An engrossed Bill to correct a clerical error in the English version of the Act of last Session exempting Masters of Vessels belonging to Lower Canada from taking Pilots in certain cases, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Lemieux do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to certain
Judgments in
Lower Canada.

An engrossed Bill to render executory certain Judgments in Lower Canada, and to provide more effectually to enforce Judgments in case of resistance, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sanborn do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to Securities
to the Crown.

An engrossed Bill to declare that Bonds and other personal Securities to the Crown shall constitute no incumbrance upon the Real Estates of parties thereto, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Boulton do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to Navigable
Rivers and
Rivulets (L.C.).

The Order of the day for the third reading of the engrossed Bill to amend an Act passed in the thirteenth and fourteenth years of Her Majesty's Reign, relating to Agriculture in Lower Canada, in so far as the said Act concerns navigable Rivers and Rivulets, and the banks thereof used in the floating and conveyance of Wood and Timber, being read;

Mr. Christie moved, seconded by Mr. Armstrong, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of NORFOLK, Cayley, Chabot, Chauveau, Christie, Dickson, Solicitor General Drummond, Hall, Hincks, Hopkins, LaTerrière, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Malloch, McConnell, Méthot, Morrison, Polette, Price, Richards, Robinson, Sanborn, Sawageau, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Taché.--(34.)

NAYS.

Messieurs Bouthillier, Fergusson, Fortier, Fournier, Fourquin, Laurin, Mongenais, and Scott of TWO MOUNTAINS.--(8.)

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So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Mr. Christie moved, seconded by the Honorable Mr. Boulton, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as in the last preceding division.

So it was resolved in the Affirmative.

Ordered, That Mr. Christie do carry the Bill to the Legislative Council, and desire their concurrence.

Toronto Temperance
Reformation
Society Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Temperance Reformation Society of the City of Toronto," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sanborn do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, without any Amendment.

Municipal Cor-
porations Act
(U.C.) Amend-
ment Bill.

An engrossed Bill to amend the Upper Canada Municipal Corporations Act of 1849, by adapting the same to the late change in the Upper Canada Assessment Law, and for other purposes relating to the Municipal Corporations of that section of the Province, was, according to Order, read the third time.

Ordered, That the following engrossed words and figures be added at the end of Schedule A, by way of Rider, and do form part thereof:--

31 Or other places dan-
gerous to travellers.

12 Vic. cap. 81,
sec. 31, sub-sec.
15.

Or other places dangerous to travellers; for regulating or preventing the fishing with nets or seines, or the erection of Weirs for Eels or other fish in any stream, river, or water-course within such Township, or such part of any stream, river, or water-course as may be within such Township.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Baldwin do carry the Bill to the Legislative Council, and desire their concurrence.

Civil List Act
Amendment Bill.

An engrossed Bill to amend the Act for granting a Civil List to Her Majesty, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Bill to reduce certain Salaries. An engrossed Bill to reduce the Salaries attached to certain Judicial Offices, in the cases therein mentioned, and to fix the Salaries of the Speakers of the Legislative Council and of the Legislative Assembly, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Niagara Harbour and Dock Bill. An engrossed Bill to amend the Act of Incorporation of the Niagara Harbour and Dock Company, was according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cayley do carry the Bill to the Legislative Council, and desire their concurrence.

Richmond and Stanstead Circuit Court Bill. An engrossed Bill to increase the number of sittings of the Circuit Court at Richmond and Stanstead, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sanborn do carry the Bill to the Legislative Council, and desire their concurrence.

Message from the Council. A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

Bill relative to Municipal Corporations (U.C.) purchasing Public Works. The Legislative Council have passed a Bill, intituled, "An Act to enable Municipal Corporations in Upper Canada to contract debts to the Crown in the purchase of Public Works without imposing a special rate or tax for the payment of the same," to which they desire the concurrence of this House.

And then he withdrew.

Bill relative to Municipal Corporations (U.C.) purchasing Public Works. An engrossed Bill from the Legislative Council, intituled, "An Act to enable Municipal Corporations in Upper Canada to contract debts to the Crown in the purchase of Public Works without imposing a special rate or tax for the payment of the same," was read the first time.

On motion of the Honorable Mr. Hincks, seconded by the

Honorable Mr. Price,

Ordered, That the Bill be read a second time to-morrow.

The Province Railway Bill. The Order of the day for the third reading of the engrossed Bill to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province, being read;

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Cartier, Cauchon, Chabot,

Chauveau, Christie, Solicitor General Drummond, Duchesnay, Fergusson, Fortier, Fournier, Fourquin, Gugy, Hincks, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Méthot, Mongenais, Morrison, Polette, Price, Prince, Richards, Ross, Sauvageau, Scott of TWO MOUNTAINS, Smith of DURHAM, Taché, Viger, and Wilson.--(38.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Dickson, Hall, Hopkins, Lyon, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, McFarland, Merritt, Meyers, Notman, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(23.)

So it was resolved in the Affirmative.

*The Bill was accordingly read the third time.*¹

MR. CAYLEY said that he intended to move a Rider on the Bill² with the view of placing on record the views of himself and friends in relation to this undertaking The hon. gentleman proceeded to reiterate the statements³ [and to go] over some arguments, to the same effect as had been used in earlier stages of the bill⁴ which have been made from time to time in opposition to the ministerial measure.⁵ He contended that seven millions would fall short of the sum required to construct the two lines, namely, the line in New Brunswick to the frontier of Maine; and the Halifax and Quebec line, and he read from Major Robinson's report in support of this view. He also dwelt particularly on the unfairness and anomaly of New Brunswick receiving a portion of the Imperial guarantee, for an opposition road, while Canada was to be deprived of the guarantee for continuing the Road westward, and did not even ask for it.⁶ [He] concluded with moving⁷ the Rider to the same effect⁸.

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The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Boulton, and the Question being put, That the following engrossed Proviso be added to the Bill by way of Rider, and do follow and make part of the second Clause thereof: "Provided always, that no such arrangement shall be concluded by the Governor, unless the same shall contain a provision securing to this Province for the construction of the main Trunk Line of Railway from Montreal westward, a portion of the said guaranteed Loan to an amount not less than the sum allotted or to be allotted to New Brunswick for the construction of that part of the European and North American Line of Railway situate with in that Province;"

MR. H. BOULTON seconded the motion, contending, in the same terms as he had before used, that the construction of the proposed road would be sheer madness⁹. [He] contended that the scheme of the Inspector General would entail upon the Province a heavy annual loss¹⁰ and would for years prostrate the resources of this Province.¹¹ He severely condemned the course pursued by Government in the matter, and predicted a multitude of difficulties if it were persisted in.¹²

MR. STEVENSON said that it was a mistake to suppose that Railroads always paid, and he¹³ enumerated several railroads in thickly settled parts of the United States, which have hitherto failed to realize their expenses, and contrasting their routes with the route of the proposed Trunk railway, he inferred that there was no probability of any other result occurring here.¹⁴ The Berkshire and Hudson Railroad for instance, which was thirty-one miles long, had been running more than ten years, but had made no dividend. The Long Island Railroad, which was ninety-eight miles long, had never made a dividend, and the stock was now quoted at 14¢ on the dollar. The receipts of this road in 1849 were \$161,300, while the expenses came to \$176,438; it had been running for many years. Take the Saratoga and Washington railroad, it was thirty-nine miles in length, and its expenses exceeded its income. It had never made a dividend. There was the Schenectady and Troy Railroad, twenty miles

long, that had never made a dividend. Its income for 1849 was \$47,500, whilst its expenses were \$53,663.¹⁵ He felt justified in concluding, as a matter of opinion, that the cost of the construction of the line between Halifax and Quebec would absorb the seven millions which England would advance.¹⁶ No information had been laid before the House as to what would be the cost of the road per mile. They had a vague guess that it would be £7000 per mile. They had no Engineer's reports for their guidance, and in their absence he could place no reliance on any guesses of members. He preferred, in these circumstances, to be guided by what he saw was the cost of other railroads. Take the cost of road from Boston to Syracuse, at rates taken from the returns made to the State Governments. They found the Great Western from Boston to Albany cost £15,908 per mile. The line from Albany to Schenectady cost £24,900 per mile. That from Schenectady to Utica cost £12,800 per mile. That from Utica to Syracuse £11,250 per mile. Yet these roads went through the centre of a highly civilized country. The road now proposed to be built was 636 miles long from Halifax to Quebec. One third of 636 miles, viz., 312 will cost £2,117,000, while the total for the whole road would come to £8,457,000 currency. The interest in our share at 4 per cent, will be £112,760; add the interest now paid on present debt £210,000, and we have a total of £322,760 for interest alone. And the road when it was built would do no good, either to Upper or Lower Canada. We had already a better means of communication between the Provinces. There was no comparison between navigation and a railroad--navigation was immensely superior. It would cost more to send a barrel of flour¹⁷ by this line from Halifax to Montreal¹⁸ than it would take to send it by water¹⁹ [from] Montreal [to] Liverpool.²⁰ What travel was there that would be likely to go over the road? or, what trade was there between the Provinces that required the road? It seemed to him that the subject had been brought up for the sake of controversy, and not with any serious intention of carrying out the work. He could not believe that people could sit down seriously and contemplate the building of a railroad through he might say a rocky wilderness, with no precise information as to what it would cost, nor any prospect for any business for it to do. Had they made any calculations as to what would be the cost of running the road? He found the average cost of running the New York Roads per mile per year was £850. Take, for instance, one-half of this sum for running the Halifax road per mile per year, and they had £270,000²¹. The lowest possible cost of managing and keeping up the²² Halifax²³ line would be £25,000 a year, though he thought it would be double that sum and he asked what amount of freight and passenger traffic would be necessary to cover this. He was confident that no such amount could be realized, considering the character of the country through which the line would run.²⁴ Travellers would always go by the nearer way of Boston; and it was out of the question to suppose that merchandize would be sent over the road. To do so would cost 4s 9d for a barrel of flour, as the railroad price of this was 9d per 100 miles--over 636 miles it would be 50s a ton over this road.--Besides, we had, as had been stated, a better road at our doors, and which cost us nothing. Freight would never go by railroad when it could go by water, and this road they proposed to run partly alongside the gulf. As a commercial speculation it was sheer madness to think of making it.--Then they had no idea of what would be the cost of managing the road by the Government. They saw a railroad that had been built in Michigan, which connected the two great Lakes, and opened up an immense fertile country, that had been a failure so long as it remained in the hands of Government. Then what might they expect to be the case with the road? Why, in making it, how would they carry provisions to the workmen?--Had they any idea of what would be the expense of that? If the Province commenced the undertaking, it would be a burden to it for years.²⁵ Again he objected that railroads could not be profitably managed by Government, except in countries where arbitrary laws were in operation, and he saw no reason for believing that Canada would be an exception to the rule. The effect of pledging the resources of the Province to a work of such an extent and cost, would be to impair our general credit, and to cast insuperable difficulties in the way of other and

really desirable enterprises.²⁶ The hon. member made some further remarks, but he spoke in a low tone of voice, which, owing to noise in the house, did not reach the Reporter's box.²⁷

MR. MERRITT went into the argument which he had presented on former occasions against the railway; and contended that the debt which would be incurred by its construction, would prove the ruin of the country.²⁸ [He] repeated his objections to the bill, drawing his wonted parallel between the financial position and prospects of Canada and the State of New York, to the decided disadvantage of the former.²⁹ The State of New York, which, by what he considered its wise laws, had placed a constitutional check upon the disposition of the Legislature to plunge into debt. By this course she had placed her finances in such a position that hereafter she would be continually reducing her debt, till she would at last be able to reduce her tolls very considerably, and so deprive Canada of all the carrying trade.³⁰ He expressed his concurrence in the views which had been expressed with regard to the commercial prospects of this railway, and urged the expediency of adopting a constitutional check in reference to debt, similar to that of New York; the absence of this check would at no remote period place Canada in a worse position financially considered, than any State in the American Union.³¹

MR. CARTIER deprecated the comparison which the hon. member for Lincoln was perpetually instituting between New York and Canada, and contended that it would be more just to consider Canada as parallel in circumstances to Pennsylvania. He (Mr. Cartier) reviewed the resources and debt of that state and of this province; and maintained that there was nothing to justify the despondency to which some members had given utterance.³² Pennsylvania ... was deeper in debt than Canada would be after the new debt was incurred.³³ Certainly there was nothing like patriotism in these repeated efforts to destroy our own position and ability.³⁴ New York, he said, was prosperous just because she had not feared to get into debt till after she had seen that her internal improvements were complete. Canada must, to be prosperous, follow a like policy.³⁵ With regard to the "constitutional check," which has been so often alluded to, it should be remembered that if New York had always had it, the Erie Canal never could have been constructed.³⁶

MR. ROBINSON followed, speaking against the scheme.³⁷ [He] said he always regretted being obliged to vote differently on questions of public improvement from the hon. gentleman who had just sat down. That gentleman generally was in favor of the improvement of the country, and he had great pleasure in saying so; but it seemed to him (Mr. R.) that the hon. gentleman mistook the question now before the House--the question was, not on the third reading of the Bill, but on an amendment proposed by the hon. member for Huron--and what was that amendment? why simply that we in return should receive the same aid to a Railroad (from the four millions to be obtained by the Bill,) West of Montreal, that it was proposed to extend to the Union Road, from St. Johns, in New Brunswick to Halifax--about £1,200,000. Surely there was nothing unreasonable in that.³⁸ [He] regretted that the discussion had reference to the whole scheme, instead of the proposed rider³⁹. The hon. gentleman (Mr. Cartier) accused the hon. member for Lincoln of opposing public improvement because he was opposed to the bill before the House. Now he (Mr. R.) would assure the hon. gentleman that if he and his friends in Lower Canada had the pleasure of seeing the magnificent steamers which throng this Bay enabled to ascent and descend the St. Lawrence from and to Montreal, it was to the exertions of the hon. member for Lincoln and others in Upper Canada they were indebted for it. He (Mr. R.) and the hon. member for Lincoln had for years gone side by side for improvement when their votes, if given otherwise, would have defeated the work. He (Mr. R.) would call the attention of the House to the fact, that the sum which it was said the British Government was willing to guarantee, was £7,000,000; of this sum £5,000,000 would be required for the Quebec and Halifax Road. There were various estimates for this road, some higher

and some under that sum--but he (Mr. R.) had no doubt it would cost at least the sum named; then there were £2,200,000 to be given to the Portland and Halifax Road, and £570,000 for that from Quebec to Melbourne, leaving, Mr. Speaker, only £230,000 for the Trunk Line west of Montreal--enough, perhaps, to make 35 or 40 of the 380 miles to be made before we join the great Western at or near Hamilton. It was this that he (Mr. R.) and others objected to, and he thought with good reason. He was not opposed to the measure if on just principles, as he had shown by voting for the amendment proposed on a former occasion by the hon. member for Toronto, and also by proposing an amendment himself much to the same effect--insert either of the amendments, and he and others would vote for the bill. The hon. member for Verchères (Mr. Cartier) must recollect that members in Upper Canada had to justify their votes on this question to their constituents and their own judgment, and it was not fair to charge them with opposing public improvement, when they only desired justice for their section of the Province.--He (Mr. R.) considered the present vote a most important one--our debt now was about £4,500,000, and we had this session voted for other improvements to the extent of about £200,000 more, no trifling addition to it. If we vote this large amount (4,000,000) it will entail a heavy debt on the Province, and members in Upper Canada might well hesitate to vote for it, unless they saw clearly that their constituents would receive a corresponding benefit to the debt incurred. He (Mr. R.) really hoped the hon. Inspector General would not object to the amendment proposed by the hon. member for Huron, as he (Mr. R.) wished much to be able to vote for the Bill, and should with great reluctance vote against it.⁴⁰ He ... hoped that all parties would consent to the introduction of the proposed rider, which would obviate most of the objections that had been urged.⁴¹ He (Mr. R.) felt grateful to the government for the advantages which they had given to the Great Northern Road in the bill before the House. Mr. R. proceeded to remark upon another important feature in the bill--that which places the construction of the Road in the hands of the government. He did not like the idea much of such a proceeding. If the government selected as Commissioners men who were efficient and understood their business, and placed them in full charge of the work, it might perhaps answer, but the Commissioners should be allowed to appoint their own subordinates without the interference of the government. Otherwise appointments would be made for political purposes. He had seen something of this kind on a small scale on the Welland Canal, after that work passed from the hands of a private company to the management of the government. The hon. gentleman entered at some length into this subject⁴². He was and always had been desirous of promoting the internal improvements of the Province, and insisted⁴³ that the vote to be given, would not be⁴⁴ of a party character, but would display the anxiety of all parties to provide what the Province required on terms which would be beneficial to all.⁴⁵ [He] concluded by desiring that the question ... be placed in such a shape as would enable hon. members on both sides of the House to give it their cordial support.⁴⁶

MR. NOTMAN said he had voted for the bill in its earliest stages, but⁴⁷ [he] had come to the conclusion that this project ought not to be supported by the House. Although he voted previously for the resolution of the senior member for Toronto, he should now vote against the proposed rider, and also against the bill itself, believing that the scheme of the Inspector General was one of the wisest⁴⁸ which he had ever heard of⁴⁹ that had ... been introduced into any Legislature. If it were adopted, fetters would be rivetted on Upper Canada, from which she never could relieve herself.⁵⁰

MR. MACKENZIE also spoke against the bill, which he thought perfectly absurd. He went over several of the early enterprises of the country, such as the Rideau Canal and the Welland Canal, to show that the present estimates for the railway would be exceedingly in default of the real cost.⁵¹ [He] thought a railway through the Colonies would be too great an advantage to be rejected, if possible to be attained. But the amount of the contemplated loan was so great that ..., if not properly expended, would place the Province in a very sad position.⁵² He believed that Penn-

sylvania, which had been cited by Mr. Cartier, had resources ten times or a hundred times as great as those of Canada, inasmuch as she had a large rich capital of 400,000 people, a place like Birmingham at the back on the Ohio River, and many public works, all paying, a profit.⁵³ We have already a debt of \$2,000,000 and there is not the slightest effort made by any party to get rid of it. It matters not what party is in power, the same lavish expenditure continues.⁵⁴ After this vote⁵⁵ the amount of debt imposed on the Province would, when taken into connection with the debt incurred by the Great Western and the Toronto and Lake Simcoe roads, amount to something like⁵⁶ \$52,000,000--or 72 tons of solid silver--72 waggons all with one ton of silver in them.⁵⁷ It was frightful to contemplate the awful burdens which would be brought upon the Province by this and other additional measures to be brought before the House. He did not approve of the amendment, and⁵⁸ he concluded by saying that upon the whole he would vote against both rider and bill, though he was very much in favour of a railroad to Quebec or Louisbourg, which would be still better.⁵⁹

MR. H. SHERWOOD replied to the remarks made by the previous speaker in reference to the wasteful expenditure that was pursued by both sides of the House, as if he (Mr. McK.) was the only honest man in the House.⁶⁰

MR. MACKENZIE--I never said so. Oh no,--evil communications corrupt good manners--it is possible that had I been in power I might have been led away too.⁶¹

MR. H. SHERWOOD--Dear me! honesty has shrunk down into a small piece of miserable looking flesh.⁶²

MR. MORIN the SPEAKER: (Order, order)⁶³.

MR. H. SHERWOOD twitted the hon. member for Haldimand for his change of vote, though he (Mr. S.) thought the hon. member was not right.⁶⁴ The member from Haldimand had voted for the measure, but now a new light or some other influence had been operating upon him, and yet he gives the House no sound reason why he has changed his views.⁶⁵ He was himself opposed to the rider, and would of course vote against the bill. He would vote for a road through the whole of Canada, but he would not go for a road through only a portion of Canada.⁶⁶ The rider ... did not place Upper Canada in the position she ought to occupy. Since the discussion on this subject had gone to the country, any one that had watched public opinion will find that there is one unanimous sentiment against the idea of Upper Canada contracting a debt of four millions of money in addition to the present debt, without receiving any sort of advantage by the loan. Every constituency in the Province is opposed to it, and not one single man would get a constituency to support him if he votes for this bill. (Hear, hear.) Well, perhaps, Glengarry may do it--where they cannot speak English.⁶⁷

MR. ROSS.--They speak a better language.⁶⁸

MR. H. SHERWOOD.--He would take no notice of such a remark. Glengarry, he had said, might do it, for the hon. member opposite has a control over that constituency that no other member had over any community. He did not think it was because of any sound or enlightened views that that hon. member entertained or any sound moral principle which he inculcates; but some how the people had been led away by the cunning and deception of the hon. member. (Hear, hear.)⁶⁹

MR. SOL. GEN. MACDONALD--The city of Toronto will not be much longer deceived by you at all events.⁷⁰

MR. H. SHERWOOD--The city of Toronto may do as they please. They will reject me, and put in some one in my place, or they may return me if they think proper.--There is no influence can be brought to bear upon them--no Gaelic in the matter. They are an intelligent people, and understand their own interests, and will take very good

care their interests are represented. With regard to the measure before the House --he was favourable to it if it would bind the Home Government to give us money on the same terms to construct the road from Quebec to Hamilton. If they passed the bill, and agreed to make the road to Quebec, he did not believe there was the remotest chance in the world that they would get more to build the road to Hamilton, but we would have to build it on our own resources. But he would wish to know from the Inspector General if there is⁷¹ any document, public or private⁷² he could put his finger on, in which the British Government have promised to give a grant at all, other than the correspondence between Mr. Hawes and Mr. Howe.⁷³ All that was said was that assistance would be given to build the line between Halifax and Montreal. Even this was only known upon the word of Mr. Howe, a gentleman who was not so much honoured in his own country⁷⁴. He would ask if there is one single paragraph of that correspondence from which they have reason to believe that if any money is [left] over after constructing the line from Halifax to Quebec, that that money will be applied to constructing the line from Montreal to Hamilton? And he would tell the Inspector General that Mr. Howe has not received that need of public praise which he expected he would receive. In Halifax he carried his measure, but in another portion of the country he has been burnt in effigy.⁷⁵

MR. INSP. GEN. HINCKS--That was only in a place called Pugwash.⁷⁶

That word produced much laughter throughout the House.⁷⁷

MR. H. SHERWOOD--Well that was true; but could any member present say what size Pugwash is, or the number of its inhabitants. And if he has been so received there, it may be so in other places. The measure was unpopular in New Brunswick and they never would have been brought into it unless from the promise of Mr. Howe that they would have assistance to make their road to Portland. Now, in order to get this road to Quebec they were going to encourage the road to Portland, which would entirely destroy it. He would vote against the bill and also against the rider, as he was convinced they would bring a loan of debt upon the country, which would be very grievous.⁷⁸ He concluded by expressing an opinion that the country should have had an opportunity to express its opinion at the hustings.⁷⁹

MR. INSP. GEN. HINCKS replied briefly. He said he considered the question sufficiently debated on a previous occasion.⁸⁰ [He] had never said in the House that Great Britain would guarantee a line further West than Montreal; nor did he think that the Imperial Government would think of giving an indefinite guarantee. All that he knew was that Mr. Howe said the British Government would go to the extent of £7,000,000 which sum, according to the statement, he (Mr. Hincks) had laid before the House, would build the entire line from Halifax to Hamilton.⁸¹ He could not understand the member for Toronto talking about a debt of four millions when he tells the House he is ready to support a Bill to raise money at six or seven per cent. to construct a road from Quebec to Hamilton.⁸²

MR. H. SHERWOOD--Does not the hon. member say that if there is not sufficient money at three and a-half per cent, that they will borrow it at six or seven per cent, for this purpose.⁸³

MR. INSP. GEN. HINCKS declared the honesty of the intentions of Government in carrying forward this measure and entered into details, as to the mission to England, of Mr. Howe, and the proposition made by the Imperial Government. They say they are willing to undertake the Line to Quebec; but they will not be prepared to go on indefinitely through the province:--⁸⁴

MR. MALLOCH--What is the meaning of indefinitely?⁸⁵

MR. INSP. GEN. HINCKS had made calculations in conjunction with Mr. Howe, and felt satisfied that if the Imperial Government consent to give us sever [sic] millions of money, that there will be a large surplus, sufficient to construct the road to

Hamilton. If the report of the Engineer be at all correct, and can be relied on, and if they get the seven millions proposed they would have enough to carry the Line through all the way.⁸⁶

MR. H. SHERWOOD--Will the hon. member state distinctly whether there is⁸⁷ the slightest evidence⁸⁸ whatever, that if the road from Halifax to Montreal costs less than £7,000,000⁸⁹ that we will be allowed to devote this surplus to construct the road⁹⁰ westward of that place.⁹¹

MR. INSP. GEN. HINCKS--Of course there was not, there was no such assurance at all⁹². He had never said this money would be applied to that purpose⁹³. Gentlemen had, in the printed papers, all the information which he possessed himself. The hon. member, however, went on to contend that it was no reason because the whole sum of money could not be procured, that a part should be refused⁹⁴. He wanted Hon. members to understand that Government will get this money from the Imperial Gov't if possible to construct the Line to Hamilton--at the same time they are prepared to get it on as easy terms as they can.⁹⁵ The Parliament of Canada had already pledged itself to the construction of a road between Halifax and Quebec on infinitely worse terms than the present proposal.⁹⁶

MR. H. BOULTON said he did understand that if there is a surplus after building the road from Halifax to Quebec that that was to be applied to building the road to Hamilton. He understood this was urged as an inducement to build that road. Was he now to understand that if there is a surplus, the Inspector General can give us no assurance that that surplus will be applied to construct the road to Hamilton?⁹⁷

MR. INSP. GEN. HINCKS never said anything of the kind. He had no information on the subject unless what was before the House.--He then went into a defence of the principle of government undertaking the construction of railroads⁹⁸ [and] endeavoured to show from a pamphlet by Mr. Morrison, M.P., that railroads managed by the State were infinitely more valuable than those undertaken by private companies.⁹⁹

MR. MACDONALD [Kingston] replied at some length, regretting that the government would think of plunging the country so deep in debt for the construction of a work not at all connected with the province.¹⁰⁰ [He] had voted cheerfully for the railway bill for 1849, but the Government had now changed their ground, and had sacrificed all chance of a railroad being made through Upper Canada, in favour of the Lower Provinces. The people of Upper Canada were against the scheme from the first¹⁰¹. He read from the report of Major Robinson to show that the primary object of the loan was that the British Government might have a thorough-fare through the Colonies for transporting their troops in the event of a war. He urged this upon the House as the only reason why the Imperial Government had come forward with the proposition.¹⁰² Members had been led to believe that if the money were accepted for this line from Halifax to Montreal, a further sum would be given to go westward to Hamilton. But did any one believe, without that, that the scheme could have met with any favour at all? Certainly it would not, if it had been then understood that no money was to be obtained for the line westward of Montreal.¹⁰³ [He] felt satisfied that after that part of the line was constructed they would not get a farthing to construct the road to Hamilton, and the country would be thrown so deeply into debt that they would never be able to overtake it themselves.¹⁰⁴

MR. INSP. GEN. HINCKS said he believed the money would be obtained.¹⁰⁵

MR. MACDONALD [Kingston]--But upon what was that belief founded? There was no ground for it; but on the contrary the British Government were determined to send Inspectors to see that the money was spent no where else than in the place they desired. He denied that the Province, as Mr. Hincks stated, had voted £25,000 per annum for the road. What they had done was to say this,--that if the Imperial Government would build the road at its own expense, if it did not pay the Province would give £25,000 per annum, to make up its share of the deficit. He went on to contend that the road

could not pay, and that its construction would therefore be an immense loss.¹⁰⁶ When the measure was first introduced he was inclined to support it, but when the whole arrangements had been brought forward, he looked upon it in a different light. The hon. member then compared the estimates of Major Robinson with the actual cost of other roads after being finished, and showed that instead of the estimate being too high, as the Inspector General wished the House to believe, they were very far below what was necessary to construct the lines, so there would not be a penny of the seven millions over. He concluded by condemning the measure as the most unreasonable arrangement that could be made, and one that would be ruinous to the Province.¹⁰⁷

MR. CAYLEY followed in a similar strain.¹⁰⁸ [He] said the late Ministry had been charged by a member opposite with having nearly rendered the Province bankrupt, and he supposed the Conservative government would also get credit for the same thing in the present instance, as they might with equal reason. He continued to argue at considerable length that the road could not be built at the rate per mile estimated, and in support of this view read over a number of figures to show that roads in the United States had cost nearly double the rates estimated for the present line.¹⁰⁹ He quoted from Major Robinson's Report to show that his estimates were some of them not within \$20,000 a mile of what the road would actually cost.¹¹⁰

MR. BADGLEY thought that during the discussion the object that had induced Great Britain to offer her guarantee at all had been too much lost sight of. It had been shown by gentlemen who had preceded him, that as a commercial speculation, the road could not pay. What then remained? England might desire the road for the promotion of emigration, and the settling of her territories, but then it was known that emigration could never be forced. There was another reason kept back like the postscript of a letter which contained the most important reason. That was that England wanted the road for a military road, and that it was that induced her to afford her guarantee. England was powerful at sea, but weak on land, and she wanted the road to enable her to pour supplies into Canada, in case of war with the United States. He read from Major Robinson's report in favour of this view, stating that the annexation and conquest of Canada had been recently disposed on the floor of Congress. When such was the case, he did not think that the burden of building should be thrown on Canada. Earl Grey himself, in one of his despatches, had admitted that the road could not be viewed as a good commercial speculation, and stated that only as a work of a national character, it could be favourably looked upon.¹¹¹

MR. HOPKINS rose amidst considerable uproar and cries of "vote"--"we are all ready". He urged upon the house the propriety of referring the matter to the constituents at the ensuing election, before bringing on the country a load of debt they would all be taxed to pay.¹¹²

MR. INSP. GEN. HINCKS said the people were taxed more without railroads than they would be to pay for them.¹¹³

COL. PRINCE said he would like to ask all these hon. members who were taking every means in their power to thwart this great undertaking, if there is the slightest prospect of a road going through Canada without being built by the capitalists of England or the British Government.--Why are we so far behind every other country? It is because we have no railroads. He was no speaker, and while hon. gentlemen would say that no portion of this money will be applicable to Upper Canada, and the road is intended to be a military road, he would tell them that England contemplates nothing of the kind, and there was no better way by which the affection of the people would be bound to Britain than by borrowing this money for the construction of a great thoroughfare.¹¹⁴

MR. CAYLEY'S rider was¹¹⁵ then¹¹⁶ lost¹¹⁷.

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the House divided: and the names being called for, they were taken down, as follow:--

(328)

YEAS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Dickson, Lyon, Macdonald of KINGSTON, Malloch, McConnell, Merritt, Meyers, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of FRONTENAC, and Stevenson.--(16.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Fergusson, Fortier, Fournier, Fourquin, Gugu, Hall, Hincks, Hopkins, Lacoste, Attorney General LaFontaine, La-Terrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McFarland, Méthot, Mongenais, Morrison, Notman, Polette, Price, Prince, Richards, Ross, Sanborn, Sawageau, Scott of TWO MOUNTAINS, Sherwood of TORONTO, Smith of DURHAM, Taché, Viger, and Wilson.--(45.)

So it passed in the Negative.

The Honorable Mr. Boulton moved, seconded by the Honorable Mr. Macdonald, and the Question being put, That the following engrossed Clause (A.) be added to the Bill by way of Rider, and do follow the second Clause:--

Clause (A.) "Provided always, and be it enacted, that no part of the sum herein before authorized to be raised for the purposes aforesaid, shall be taken at a higher rate of interest than four per centum;"

MR. HOPKINS did not think the cost of the undertaking had been sufficiently calculated.¹¹⁸

Some further remarks from other members [followed]¹¹⁹.

(328)

the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Dickson, Lyon, Macdonald of KINGSTON, Malloch, McConnell, Merritt, Meyers, Robinson, Sanborn, Scott of TWO MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(20.)

NAYS.

Messieurs Baldwin, Bell, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Fergusson, Fortier, Fournier, Fourquin, Gugu, Hall, Hincks, Hopkins, Lacoste, Attorney General LaFontaine, La-Terrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mackenzie, McFarland, Méthot, Mongenais, Morrison, Notman, Polette, Price, Prince, Richards, Ross, Sawageau, Smith of DURHAM, Taché, Viger, and Wilson.--(41.)

So it passed in the Negative.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Orders deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

MR. AT. GEN. BALDWIN¹²⁰ rose and stated that news had arrived of the death of one of the members of the House, Mr. Peter Perry. When he had last heard of him, he was in New York; and, when the word first came of his death,¹²¹ [that] morning¹²² he (Mr. B.) had hoped that it might not be correct; but farther enquiry proved that it was but too true.¹²³ He had since got a message which confirmed the report that the hon. Peter Perry, member for the Third Riding, was no more.¹²⁴ Mr. Perry had

been for eleven years a member of the parliament of Upper Canada; and, all who had known him during the short time he was in the present parliament, must have marked his uprightness of character and strength of mind. He proposed to move that the House do now adjourn out of respect for the memory of the deceased member. He put a motion to this effect.¹²⁵

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On motion of the Honorable Mr. Baldwin, seconded by Mr. Seymour,

House adjourns
out of respect
to the memory
of the late P.
Perry, Esquire.

Resolved, That out of respect for the Memory of the late Peter
Perry, Esquire, formerly a Member of Parliament of Upper
Canada, and a Member of this House, this House do now adjourn.

MR. SEYMOUR seconded the motion, saying at the same time, that Mr. Perry resided in his county, and had been a member of the Upper Canada Parliament for 12 years. He was a man much esteemed.¹²⁶

[The] motion carried without division, and¹²⁷ the remaining orders of the day were postponed¹²⁸.

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*The House adjourned accordingly.*¹²⁹

APPENDIX: 26 AUGUST 1851.

[NOTICE OF ADDRESS RE: U.C. BRANCH OF LAND DEPT. TO REMAIN AT TORONTO.]¹³⁰

MR. H. SHERWOOD gave notice of a motion for an address to the Governor General praying that on the removal of the seat of government, the Upper Canada branch of the Land Department may be allowed to remain at Toronto.¹³¹

FOOTNOTES: 26 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 28 August 1851, HAMILTON SPECTATOR, 30 August 1851, and BATHURST COURIER, 5 September 1851; BRITISH COLONIST, 29 August 1851, MONTREAL GAZETTE, 1 September 1851, PILOT, 2, 4 September 1851, and LA MINERVE, 4 September 1851.
2. BRITISH COLONIST, 29 August 1851.
3. HAMILTON SPECTATOR, 30 August 1851.
4. BRITISH COLONIST, 29 August 1851.
5. HAMILTON SPECTATOR, 30 August 1851.
6. BRITISH COLONIST, 29 August 1851.
7. HAMILTON SPECTATOR, 30 August 1851.
8. BRITISH COLONIST, 29 August 1851.
9. IBID.
10. HAMILTON SPECTATOR, 30 August 1851.
11. BRITISH COLONIST, 29 August 1851.
12. HAMILTON SPECTATOR, 30 August 1851.
13. BRITISH COLONIST, 29 August 1851.
14. HAMILTON SPECTATOR, 30 August 1851.
15. BRITISH COLONIST, 29 August 1851.
16. HAMILTON SPECTATOR, 30 August 1851.
17. BRITISH COLONIST, 29 August 1851.
18. HAMILTON SPECTATOR, 30 August 1851.
19. BRITISH COLONIST, 29 August 1851.
20. HAMILTON SPECTATOR, 30 August 1851.
21. BRITISH COLONIST, 29 August 1851.
22. HAMILTON SPECTATOR, 30 August 1851.
23. BRITISH COLONIST, 29 August 1851.
24. HAMILTON SPECTATOR, 30 August 1851.
25. BRITISH COLONIST, 29 August 1851.
26. HAMILTON SPECTATOR, 30 August 1851.
27. BRITISH COLONIST, 29 August 1851.
28. IBID.
29. HAMILTON SPECTATOR, 30 August 1851.
30. BRITISH COLONIST, 29 August 1851.
31. HAMILTON SPECTATOR, 30 August 1851.
32. BATHURST COURIER, 5 September 1851.
33. BRITISH COLONIST, 29 August 1851.
34. BATHURST COURIER, 5 September 1851.
35. BRITISH COLONIST, 29 August 1851.
36. BATHURST COURIER, 5 September 1851.
37. BRITISH COLONIST, 29 August 1851.
38. MONTREAL GAZETTE, 1 September 1851.
39. HAMILTON SPECTATOR, 30 August 1851.
40. MONTREAL GAZETTE, 1 September 1851.
41. HAMILTON SPECTATOR, 30 August 1851.
42. MONTREAL GAZETTE, 1 September 1851.
43. HAMILTON SPECTATOR, 30 August 1851.
44. BRITISH COLONIST, 29 August 1851.
45. HAMILTON SPECTATOR, 30 August 1851.
46. MONTREAL GAZETTE, 1 September 1851.
47. BRITISH COLONIST, 29 August 1851.
48. HAMILTON SPECTATOR, 30 August 1851.
49. BRITISH COLONIST, 29 August 1851.
50. HAMILTON SPECTATOR, 30 August 1851.

51. BRITISH COLONIST, 29 August 1851.
52. HAMILTON SPECTATOR, 30 August 1851.
53. BRITISH COLONIST, 29 August 1851.
54. HAMILTON SPECTATOR, 30 August 1851.
55. BRITISH COLONIST, 29 August 1851.
56. HAMILTON SPECTATOR, 30 August 1851.
57. BRITISH COLONIST, 29 August 1851.
58. HAMILTON SPECTATOR, 30 August 1851.
59. BRITISH COLONIST, 29 August 1851.
60. BATHURST COURIER, 5 September 1851.
61. IBID.
62. IBID.
63. IBID.
64. BRITISH COLONIST, 29 August 1851.
65. BATHURST COURIER, 5 September 1851.
66. BRITISH COLONIST, 29 August 1851.
67. BATHURST COURIER, 5 September 1851.
68. IBID.
69. IBID.
70. IBID.
71. IBID.
72. BRITISH COLONIST, 29 August 1851.
73. BATHURST COURIER, 5 September 1851.
74. MONTREAL GAZETTE, 1 September 1851.
75. BATHURST COURIER, 5 September 1851.
76. IBID.
77. BRITISH COLONIST, 29 August 1851.
78. BATHURST COURIER, 5 September 1851.
79. BRITISH COLONIST, 29 August 1851.
80. BATHURST COURIER, 5 September 1851.
81. BRITISH COLONIST, 29 August 1851.
82. BATHURST COURIER, 5 September 1851.
83. IBID.
84. IBID.
85. IBID.
86. BRITISH COLONIST, 29 August 1851.
87. IBID.
88. BATHURST COURIER, 5 September 1851.
89. BRITISH COLONIST, 29 August 1851.
90. BATHURST COURIER, 5 September 1851.
91. BRITISH COLONIST, 29 August 1851.
92. IBID.
93. BATHURST COURIER, 5 September 1851.
94. BRITISH COLONIST, 29 August 1851.
95. BATHURST COURIER, 5 September 1851.
96. BRITISH COLONIST, 29 August 1851.
97. HAMILTON SPECTATOR, 30 August 1851.
98. BATHURST COURIER, 5 September 1851.
99. BRITISH COLONIST, 29 August 1851.
100. BATHURST COURIER, 5 September 1851.
101. BRITISH COLONIST, 29 August 1851.
102. BATHURST COURIER, 5 September 1851.
103. BRITISH COLONIST, 29 August 1851.
104. BATHURST COURIER, 5 September 1851.
105. BRITISH COLONIST, 29 August 1851.
106. IBID.

107. BATHURST COURIER, 5 September 1851.
108. IBID.
109. BRITISH COLONIST, 29 August 1851.
110. BATHURST COURIER, 5 September 1851.
111. BRITISH COLONIST, 29 August 1851.
112. HAMILTON SPECTATOR, 30 August 1851.
113. IBID.
114. IBID.
115. BRITISH COLONIST, 29 August 1851.
116. BATHURST COURIER, 5 September 1851.
117. BRITISH COLONIST, 29 August 1851.
118. IBID.
119. IBID.
120. The following papers reported the death of Mr. Perry in identical accounts:
BRITISH COLONIST, 29 August 1851, and HAMILTON SPECTATOR, 30 August 1851;
MONTREAL GAZETTE, 1 September 1851, and PILOT, 4 September 1851.
121. MONTREAL GAZETTE, 1 September 1851.
122. HAMILTON SPECTATOR, 30 August 1851.
123. MONTREAL GAZETTE, 1 September 1851.
124. HAMILTON SPECTATOR, 30 August 1851.
125. MONTREAL GAZETTE, 1 September 1851.
126. IBID.
127. IBID.
128. HAMILTON SPECTATOR, 30 August 1851.
129. HAMILTON SPECTATOR, 30 August 1851, noted that the House adjourned at "9
o'clock, P.M."
130. The following papers reported this notice of address in identical accounts:
EXAMINER, 27 August 1851, and NORTH AMERICAN, 5 September 1851.
131. EXAMINER, 27 August 1851.

WEDNESDAY, 27 AUGUST 1851.

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Private or
Local Bills.

RESOLVED, That the time for receiving Reports of Standing or Select Committees on Private or Local Bills be further extended until Saturday next.

Seventh Report
of Committee on
Railroads and
Telegraph Lines.

Mr. Smith of Durham, from the Standing Committee on Railroads and Telegraph Lines, presented to the House the Seventh Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to revive and amend the Act incorporating the Wolfe Island, Kingston and Toronto Railway.

By this Bill it is proposed to revive the above mentioned Act only so far as to enable the Company to make a Railway and Canal across Wolfe Island, as to open a direct communication between the City of Kingston and Cape Vincent in the State of New York.

The Bill gives no particular privileges or powers as to taking possession of the lands of other parties without their consent; on the contrary, it provides that no lands can be taken or appropriated for the purposes of the Company without the express consent of all parties interested.

As the construction of this Railway or Canal will be of great benefit to the City of Kingston and the surrounding Country, and cannot prejudice the rights of any parties, Your Committee beg leave to recommend the Bill to the favourable consideration of Your Honorable House.

Wolfe Island,
Kingston and
Toronto Rail-
road Bill.

Ordered, That the Bill to revive and amend the Act incorporating the Wolfe Island, Kingston and Toronto Railroad Company, be committed to a Committee of the whole House, for to-morrow.

Report of Com-
mittee on
Expiring Laws.

Mr. Solicitor General Drummond, from the Standing Committee on Expiring Laws, presented to the House the Report of the said Committee; which was read, as followeth:--

Your Committee have carefully examined the List of Expiring Laws as prepared by the Law Clerk of Your Honorable House, and recommend the continuance of the following Acts and Ordinances until the end of the next Session of the Provincial Parliament:--

The Act 4 & 5 Vic. c. 36, intituled, "An Act to regulate the Fisheries in the District of Gaspé:"

The Act 8 Vic. c. 6, intituled, "An Act for the better preservation of the Peace, and the prevention of Riots and violent Outrages at and near Public Works while in progress of construction:"

The Act 8 Vic. c. 27, intituled, "An Act to amend the Act and Ordinance therein mentioned relative to the Registration of Titles to and incumbrances upon real property in Lower Canada:"

The Act 8 Vic. c. 48, intituled, "An Act for the relief of Insolvent Debtors in Upper Canada, and for other purposes therein mentioned:"

The Act 8 Vic. c. 53, intituled, "An Act to repeal certain Acts therein mentioned, and better to encourage Agriculture in Lower Canada, by the establishment of Agricultural Societies therein," expecting so much of the said last mentioned Act as is repealed by the Act 9 Vic. c. 14, intituled, "An Act to amend the Act for the encouragement of Agriculture, by the establishment of Agricultural Societies in Lower Canada," and also the said last mentioned Act:

The Act 9 Vic. c. 24, intituled, "An Act to allow the formation of more than one Agricultural Society in a County in Lower Canada, and for the relief of the

Society for the County of Montreal:"

The Act 9 Vic. c. 38, intituled, "An Act to empower Commissioners for enquiring into matters connected with the public business, to take Evidence on Oath:"

The Act 10 & 11 Vic. c. 1, intituled, "An Act to enlarge the powers of the Trinity House of Montreal in certain cases where the Public Health of the City may be endangered:"

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The Act 11 Vic. c. 7, intituled, "An Act to provide for the inspection of Butter in Quebec and Montreal:"

The Act 11 Vic. c. 11, intituled, "An Act to amend the Laws relating to the Incorporation of the City of Montreal:"

The Act 2 Geo. 4, c. 8, intituled, "An Act for better regulating the Common of the Seigneurie de Laprairie de la Madeleine:"

The Act 2 Geo. 4, c. 10, intituled, "An Act to enable the Inhabitants of the Seigniorie of La Baie Saint Antoine, commonly called La Baie du Febvre, to provide for the better regulation of the Common in the said Seigniorie," as amended and extended by the Act 4 Geo. 4, c. 26, intituled, "An Act to authorize the Chairman and Trustees of the Common of the Seigniorie of the Baie Saint Antoine, commonly called the Baie du Febvre, to terminate certain disputes relating to the limits of the said Common, and for other purposes appertaining to the same:"

The Act 9 Geo. 4, c. 20, intituled, "An Act to provide for the more effectual extinction of Secret Incumbrances on Lands than was heretofore in use in this Province:"

The Act 9 Geo. 4, c. 27, intituled, "An Act to prevent Fraudulent debtors evading their Creditors in certain parts of this Province:"

The Act 9 Geo. 4, c. 28, intituled, "An Act to facilitate the proceedings against the Estates and Effects of Debtors in certain cases:"

The Act 9 Geo. 4, c. 32, intituled, "An Act to alter and amend an Act passed in the sixth year of His Majesty's Reign, intituled, "An Act to authorize the inhabitants of the Fief Grosbois, in the County of Saint Maurice, to make regulations for the Common of the said Fief:"

The Act 9 Geo. 4, c. 51, intituled, "An Act for the preservation of the Salmon Fisheries in the Counties of Cornwallis and Northumberland:"

The Act 1 Will. 4, c. 6, intituled, "An Act to encourage the destruction of Wolves:"

The Act 3 Will. 4, c. 14, intituled, "An Act further to suspend certain parts of an Act or Ordinance therein mentioned, and to consolidate and further to continue for a limited time the provisions of two other Acts therein mentioned, for more effectually ascertaining the damages on Protested Bills of Exchange, and for determining disputes relating thereto, and for other purposes:"

The Act 6 Will. 4, c. 35, intituled, "An Act to provide for the Medical treatment of Sick Mariners:"

The Ordinance 2 Vic. (3rd Session) c. 7, intituled, "An Ordinance to amend the Act passed in the thirty-sixth year of the Reign of King George the Third, chapter nine, commonly called the Road Act:"

The Act of Upper Canada, 11, Geo. 4, c. 20, intituled, "An Act to authorize the Quarter Sessions of the Home District to provide for the relief of Insane destitute persons in the said District:"

The Act of Upper Canada, 3 Will. 4, c. 45, intituled, "An Act to continue an Act passed in the eleventh year of His late Majesty's Reign, intituled, 'An Act to authorize the Quarter Sessions of the Home District to provide for the relief of Insane destitute persons in that District,' and to extend the provisions of the same to the other Districts of this Province:"

The Act of Upper Canada, 6 Will. 4, c. 29, intituled, "An Act to repeal an Act passed in the forty-ninth year of the Reign of His late Majesty King George the Third, intituled, "An Act to encourage the destroying of Wolves in this Province," and to make further provision for the extermination of those destructive animals:"

The Act 7 Vic. c. 10, intituled, "An Act to repeal an Ordinance of Lower Canada, intituled, 'An Ordinance concerning Bankrupts, and the administration and distribution of their estates and effects,' and to make provision for the same object throughout the Province of Canada," and the Act amending the same passed in the ninth year of Her Majesty's Reign, and intituled, "An Act to continue and amend the Bankrupt Laws now in force in this Province," in so far only as the same are continued by and for the purposes mentioned in the Act passed in the twelfth year of Her Majesty's Reign, and intituled, "An Act to make provision for the continuance and completion of proceedings in Bankruptcy now pending:"

The Act 6 Will. 4, c. 19, intituled, "An Act to regulate the Fees of persons employed by Justices of the Peace in the Country Parishes as Clerks or Bailiffs in certain cases."

Your Committee beg to say, that nothing contained in the present Report should prevent or be construed to prevent any Act passed during the present Session, repealing, amending, rendering permanent or continuing to any further period than that herein appointed, any of the Acts or Ordinances hereinbefore mentioned and continued.

Your Committee further beg leave to recommend that a Bill be passed for continuing the said Acts and Ordinances.

Expiring Laws
Continuation
Bill.

Ordered, That Mr. Solicitor General Drummond have leave to bring in a Bill to continue for a limited time the several Acts and Ordinances therein mentioned, and for other purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time this day.

On motion of the Honorable Mr. Sherwood, seconded by Mr. Malloch,

Petition of
H. Allen.

Ordered, That the Order of this House of the twenty-fifth instant, rescinding the Order of the thirteenth instant, That the Petition of Henry Allen of the City of Toronto, Esquire, Barrister, and heretofore Judge of the District of London, be printed for the use of the Members of this House, be rescinded.

Montreal Cor-
poration Bill.

Ordered, That the Amendments made by the Legislative Council, to the Bill, intituled, "An Act to amend and consolidate the provisions of the Ordinance to incorporate the City and Town of Montreal, and of a certain Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 5, line 34. Leave out "Panet" and insert "Visitation."

Press 5, line 35. Leave out "Panet" and insert "Visitation."

Press 5, line 37. After "reach" insert "Saint Mary Street, and thence from the centre of Barclay Street to."

Press 5, line 40. Leave out "Panet" and insert "Barclay."

Press 5, line 41. After "Lawrence" insert "to Saint Mary Street."

Press 5, line 42. After "and" insert "thence," and after "continuing" insert "from the centre of Visitation Street."

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Press 6, line 20. Leave out from "thousand" to "pounds" in line 21.

Press 6, line 30. Leave out from "of" to "pounds" and insert "five hundred."

Press 7, line 6. Leave out from "the" to "Councillors" in line 7.

Press 7, line 31. Leave out "in" and insert "on."

Press 8, line 20. Leave out "being" and insert "having paid the same, provided he."

Press 8, line 41. After "Election" insert Clause (A.)

Clause (A.) "And be it enacted, That the Mayor of the said City shall be elected by the majority of the votes of all the Electors of the said City, qualified as aforesaid, taken in the Wards in which they are severally and respectively entitled to vote in the Election of Councillors as aforesaid."

Press 8, line 45. Leave out from "Assessors" to "shall" in line 46, and insert "hereinafter mentioned."

Press 8, line ult. Leave out from "in" to "Ward" in press 9, line 1, and insert "each."

Press 11, line 28. Leave out from "Mayor" to "Recorder" and insert "and," and after "Recorder" insert "and on each and every Alderman and Councillor of the said City."

Press 17, line 6. Leave out "six" and insert "nine."

Press 18, line 14. Leave out "fifteen" and insert "nine."

Press 20, line 38. Leave out from "thousand" to "pounds," and leave out from "or" to "pounds" in line 39, and insert "five hundred."

Press 21, line 20. Leave out from "thousand" in the marginal note, to "pounds" where it occurs the first time in line 21.

Press 21, line 21. Leave out from "or" to "pounds" where it occurs the second time, and insert "five hundred."

Press 31, line 16. Leave out "two" and insert "one."

Press 39, line 43. After "authorizing" insert "and requiring."

Press 39, line 44. Leave out from "City" to "a" in line 45.

Press 39, line 47. After "aforesaid" insert "or the Recorder of the said City."

Press 48, line 13. After "year" insert "and provided also that the said privilege shall not require registration to preserve it, any Act, Ordinance or Law to the contrary notwithstanding."

Press 59, line 45. After "thereon" insert Clause (B.)

Clause (B.) "Provided always and be it enacted, That nothing in this Act contained shall be construed to abridge or interfere with the duties, powers, authorities, or jurisdiction of any Inspector or Superintendent of the Police, or of any member or members of the Police Force of the said City, appointed or to be appointed by the Governor of this Province under and in virtue of the provisions of the said Ordinance of the Legislature of Lower Canada passed in the second year of Her Majesty's Reign, and intituled, 'An Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal,' but the same shall continue to be executed and exercised as if this Act had not been passed."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Cartier do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

On motion of Mr. Christie, seconded by Mr. Prince,

Colonial History of Canada.

Resolved, That an humble Address be presented to His Excellency the Governor General, representing to His Excellency that a favourable opportunity offering for obtaining from the

Public Archives of Great Britain, France, and other places in Europe, such documents relating to the early Colonial History of Canada as may be wanting to complete the

series of Records already obtained on that subject, this House therefore prays that His Excellency may be pleased to take such measures as he may deem expedient to procure copies of all such Documents on this subject as may be selected by the Agent who is to be sent to Europe for the purpose of purchasing Books for the reconstruction of the Parliamentary Library; and assuring His Excellency that this House will make good such expenses as may be incurred in the furtherance of this important object.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of the Honorable Mr. Boulton, seconded by Mr. Dickson,

East Riding of York Writ. Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery to make out a new Writ for the Election of one Member to serve in the present Provincial Parliament for the East Riding of the County of York, in the room of Peter Perry, Esquire, deceased.

Parishes, Churches, &c., Erection Bill. An engrossed Bill to amend the Act to continue and amend the Ordinance concerning the erection of Parishes, Churches, and Church Yards in Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Bouthillier do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to the County Grammar Schools (U.C.). An engrossed Bill to repeal the provision limiting the distance between the County Town and any additional Grammar School in the same County, in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Smith of Durham do carry the Bill to the Legislative Council, and desire their concurrence.

Quebec Turnpike Roads Bill. An engrossed Bill to authorize the Quebec Turnpike Road Trustees to effect a new Loan, and to extend the provisions of the Quebec Turnpike Road Ordinance to certain other Roads, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Chauveau do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to the Election of Members. An engrossed Bill to amend the Laws regulating the Election of Members in certain Counties in so far as relates to the return of Writs, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Laws regulating the Election of Members of the Legislative Assembly in certain Counties, in so far as relates to the return of Writs."

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

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Post Office Act Amendment Bill. The Order of the day for receiving the Report of the Committee of the whole House on the engrossed Bill from the Legis-

lative Council, intituled, "An Act to amend the Post Office Act," being read;

Ordered, That the Bill be now recommitted to a Committee of the whole House, for the purpose of reconsidering the twenty-fourth Clause thereof.

The House accordingly resolved itself into the said Committee.

Mr. Gugy took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Gugy reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Gugy reported the Bill accordingly; and the Amendments were read, as follows:--

Press 2, line 3. Leave out from "thereof" to "in" in line 5.

Press 2, line 39. After "cases" insert "in which there shall be more than one tender."

Press 2, line 42. After "contract" insert "unless the Postmaster General shall be satisfied that it be for the interest of the public not to accept the lowest tender."

Press 3, line 1. After "contract" insert "Provided further, that the Postmaster General in all cases where he omits giving the contract to the lowest bidder, shall report his reasons therefor to the Governor General, for the information of the Legislature."

Press 3, line 38. Leave out from "Mail" to "shall" in line 40.

Press 3, line 40. Leave out "guarantee" and insert "undertaking."

Press 4, line 6. Leave out "guarantee" and insert "written undertaking."

Press 4, line 18. Leave out "guaranteed" and insert "undertaken."

Press 4, line 23. Leave out "guarantee or guarantees" and insert "surety or sureties."

Press 15, line 24. After "of" insert "four hundred."

Press 15, line 29. After "than" insert "four hundred."

Press 16, line 13. After "than" insert "three."

Press 16, line 14. After "than" insert "seven."

Press 16, line 15. Leave out from "year" to "aforesaid" in line 25.

The said Amendments, being read a second time, were agreed to.

Ordered, That the Bill be read the third time to-morrow.

Tax upon

Lands in the
Eastern Town-
ships.

Mr. Duchesnay, from the Committee to consider the expediency of imposing a limited annual Tax upon the Land situate in the various Townships of the Counties of Nicolet, Megantic, Drummond, Sherbrooke, and Stanstead, or in any part thereof, to be applied to the completion and opening up of extensive means of communication in those localities, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient to impose a limited annual Tax, per acre, upon the Lands situate in the various Townships of the Counties of Nicolet, Megantic, Drummond, Sherbrooke, and Stanstead, or in any part thereof, to be applied to the completion and opening up of extensive means of communication in those localities.

The said Resolution, being read a second time, was agreed to.

Eastern Town-
ships Settle-
ment Bill.

Ordered, That Mr. Fortier have leave to bring in a Bill to facilitate the settlement of the Eastern Townships in Lower
Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Saturday next.

Justices of
the Peace
(U.C.) Fees
Bill.

The Honorable Mr. Badgley reported the Bill to establish an uniform rate of Fees to be received by Justices of the Peace in Upper Canada, and to repeal the Act of Upper Canada passed in the fourth year of the Reign of King William the Fourth, chapter seventeen; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Library Asso-
ciations and
Mechanics' In-
stitutes Bill.

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to provide for the incorporation and better management of Library Associations and Mechanics' Institutes, being read;

Ordered, That the Bill be now recommitted to a Committee of the whole House, for the purpose of reconsidering the four first Clauses, and adding an additional Clause declaring the effect of the Act on Mechanics' Institutes and Library Associations already incorporated.

The House accordingly resolved itself into the said Committee.

Mr. Polette took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Polette reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Polette reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Bill to amend
the Law respect-
ing Protests.

Mr. Scott of Two Mountains reported the Bill to amend the Law respecting the Protesting of Bills of Exchange and Promissory Notes; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Indians in
Lower Canada.

Mr. Fergusson, from the Committee to consider the expediency of providing out of the Consolidated Revenue Fund of the Province, an annual appropriation for the use of the Indians in

Lower Canada, reported a Resolution; which was read, as followeth:--

Resolved, That provision should be made out of the Consolidated Revenue Fund of the Province, for an annual appropriation of One thousand pounds currency, for the use of the Indians of Lower Canada.

The said Resolution, being read a second time, was agreed to.

Private Lu-
natic Asylums
Bill.

The Honorable Mr. Merritt reported the Bill for the regulation of Private Lunatic Asylums; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Normal School
Bill (L.C.).

Mr. Seymour reported the Bill to provide for the establishment of a Normal School, and further to promote Education in

Lower Canada; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Jurors Bill
(L.C.).

An engrossed Bill to amend the Act, intituled, "An Act to regulate the summoning of Jurors in Lower Canada," was

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according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Agricultural
Societies
(U.C.) Organi-
zation Bill.

An engrossed Bill to provide for the better organization of Agricultural Societies in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Price do carry the Bill to the Legislative Council, and desire their concurrence.

Burlington
Ladies'
Academy Bill.

An engrossed Bill from the Legislative Council, intituled, "An Act to incorporate the Burlington Ladies' Academy," was, according to Order, read the third time.

Resolved, That the Bill, with the Amendment, do pass.

Ordered, That the Honorable Mr. Badgley do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, with an Amendment, to which they desire the concurrence of their Honors.

Bill to enable
certain married
Women to convey
Real Estate.

An engrossed Bill to enable Married Women resident in foreign countries to convey Real Estate of which they are seized in the Province of Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to enable Married Women resident in foreign countries to convey Real Estate of which they are seized in Upper Canada."

Ordered, That Mr. Prince do carry the Bill to the Legislative Council, and desire their concurrence.

Bill to set
apart Lands
for Indians
(L.C.).

The Order of the day for the second reading of the Bill to set apart certain Lands in Lower Canada for the use of the Indians of that part of the Province, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Ordered, That the Resolution of this House, of this day, That provision should be made out of the Consolidated Revenue Fund of the Province, for an annual appropriation of One thousand pounds currency, for the use of the Indians of Lower Canada, be referred to the said Committee.

Resolved, That this House will immediately resolve itself into the said Committee.

Mr. Meyers took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Meyers reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Meyers reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Municipal Laws
(L.C.) Amend-
ment Bill.

The Order of the day for the second reading of the Bill to amend the Municipal Laws of Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Richards took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Richards reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again this day.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker:--

Bill relating
to Lunatics.

The Legislative Council have passed the Bill, intituled, "An Act to authorize the confinement of Lunatics in cases where their being at large may be dangerous to the Public," with an

Amendment, to which they desire the concurrence of this House: And also,

Montreal and
Kingston Rail-
way Company.

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the Montreal and Kingston Railway Company," with an Amendment, to which they desire the concurrence of this House.

And then he withdrew.

The Province
Railway Loan
Bill.

The Order of the day for the second reading of the Bill for raising by way of Loan, a sum not exceeding Four millions of pounds, currency, for making a main Trunk Line of Railway throughout the length of this Province, being read;

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being put, That the Bill be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chabot, Christie, Solicitor General Drummond, Duchesnay, Fournier, Fourquin, Hincks, LaTerrière, Laurin, Lemieux, Solicitor General Macdonald, Méthot, Mongenais, Morrison, Prince, Richards, Ross, Sauvageau, Smith of DURHAM, Smith of WENTWORTH, and Taché.--(25.)

NAYS.

Messieurs Badgley, Dickson, Lyon, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, and Sanborn.--(8.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

The Honorable Mr. LaTerrière took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. LaTerrière reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

The Honorable Mr. LaTerrière reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Debentures
Bill.

The Order of the day for the second reading of the Bill for raising on the Credit of the Consolidated Revenue Fund, a certain Sum required for the Public Service, being read;

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being put, That the Bill be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bouthillier, Cartier, Cauchon, Chabot, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fournier, Fourquin, LaTerrière, Laurin,

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Lemieux, Lyon, Solicitor General Macdonald, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McConnell, Méthot, Mongenais, Morrison, Price, Prince, Richards, Ross, Sanborn, Sauvageau, Smith of DURHAM, Smith of WENTWORTH, and Taché.--(32.)

NAYS.

Mr. Mackenzie.--(1.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Bill relative
to Municipal
Corporations
(U.C.) pur-
chasing Public
Works.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to enable Municipal Corporations in Upper Canada to contract debts to the Crown in the purchase of Public Works without imposing a special rate or tax for the payment of the same," being read;

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Price, and the Question being put, That the rule of this House requiring that all Bills be printed before the second reading, be suspended in so far as regards this Bill; the House divided:--And it was resolved in the Affirmative.

The Bill was then read a second time.

Ordered, That the Bill be read the third time on Friday next.

On motion of Mr. Christie, seconded by Mr. Laurin,

Commutation of
Property Bill.

Ordered, That the Order of the day for the second reading of the Bill the better to facilitate the Commutation of Property, held en roture in Crown Fiefs and Seigniories, in cases of

the valuation of such Property by mutual agreement, under a certain Act therein mentioned, be now read.

And the said Order being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Message from The Honorable Mr. Hincks, one of Her Majesty's Executive
His Excellency. Council, delivered to Mr. Speaker a Message from His Excellency
the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Duty on Foreign ELGIN and KINCARDINE.
Timber.

The Governor General transmits to the Legislative Assembly the Copy of a Despatch from Her Majesty's Secretary of State for the Colonies in answer to the Joint Address to Her Majesty passed during the present Session, on the subject of the repeal of the Duty on Foreign Timber imported into the United Kingdom.

Government House,
Toronto, 27th August, 1851.

(Copy.)--No. 632.

Downing Street, 5th August, 1851.

My Lord,--I have to acknowledge the receipt of Your Lordship's Despatch, No. 74, of the 6th June, enclosing an Address to the Queen from the Legislative Council and House of Assembly of Canada, on the subject of the proposed repeal of the Duty on Foreign Timber imported into this Country.

I have laid this Address before the Queen; but after having fully considered the reasons assigned in it against reducing the Duties levied in this Country on Foreign Timber, Her Majesty's Servants did not feel themselves justified in abandoning the Bill for this purpose, which was then before Parliament, and has since passed into a Law. This reduction of Duty on Foreign Timber was proposed with a view to the advantage of the British Dominion at large, but while it is obviously calculated to promote this object by reducing the cost in the United Kingdom of the most important materials for the employment of industry, there appear to Her Majesty's Government no grounds for apprehending that the measure will inflict the injury upon Canada which is anticipated by the Provincial Legislature. The successive reductions of the Duty on Foreign Timber which have already been made since the year 1843, and the consequent great increase of its consumption, have not been found to occasion any diminution in the consumption of Colonial Timber, which, on the contrary, has continued rather larger than before; the fact being, as it appears, that whatever may be the rate of Duty, and consequently the market price of Foreign Timber, the particular kinds and qualities of Timber grown in the British Colonies will continue to be used for the purposes to which they are peculiarly adapted, and are now applied. It is also a consideration which ought not to be lost sight of by the Provincial Parliament, that in a country possessing such great natural resources as Canada, and of which the population and capital are still so inadequate to the full development of these resources, there can be no occasion for endeavoring, by artificial regulations, to extend the field of employment; and that the permanent prosperity of the Province will be best promoted by allowing enterprise and labor to flow in their natural channels, instead of seeking to divert them to branches of trade dependent for their success upon the uncertain and factitious encouragement afforded by protecting Duties.

You will assure the Provincial Parliament that while Her Majesty's Government take the most lively interest in the welfare and commercial prosperity of Canada, they are for these reasons convinced that a steady adherence to the commercial policy on which the measure now complained of is founded, will be found to be the course best calculated to promote the interests of the Colonies in common with

those of the British Empire at large.

I have, &c.,
(Signed,) GREY.

The Right Honorable
The Earl of Elgin and Kincardine,
&c. &c. &c.

Ordered, That the said Message and Despatch be printed for the use of the Members of this House.

His Excellency
intends to
prorogue the
Legislature.

Mr. Speaker communicated to the House the following Letter:--

Government House,
Toronto, 27th August, 1851.

Sir,--I am directed by the Governor General to inform you that it is His Excellency's intention, should the state of the public business permit, to prorogue the Session of the Legislature on Saturday next, the 30th instant, at twelve o'clock, noon.

I have honor to be,
Sir,

Your most obedient humble Servant,

R. BRUCE,
Governor's Secretary.

The Honorable
The Speaker of the Legislative Assembly,
&c. &c. &c.

Petition
brought up.

The following Petition was brought up, and laid on the table:--

By Mr. Mackenzie,--The Petition of William Hill and others, of the County of York.

Montreal and
Kingston Rail-
way Company Bill.

Ordered, That the Amendment made by the Legislative Council to the Bill, intituled, "An Act to incorporate the Montreal
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and Kingston Railway Company," be now taken into consideration.

The House proceeded accordingly to take the said Amendment into consideration; and the same was read, as followeth:--

Press 1, line 39. After "survey" insert Clause (A.)

Clause (A.) "And be it enacted, That if the line so selected be such as, in the opinion of the Governor, to require that the Company hereby incorporated should purchase, and the Montreal and Lachine Railroad Company shall be willing to sell to them, the Railroad and property, rights, privileges, and advantages of the said last mentioned Company, but the said two Companies shall not be able to agree upon the price to be paid for the same, such price shall be established by the award of Arbitrators, one of whom shall be named by each of the said Companies, and the third by the Governor; and the decision of the said Arbitrators, or any two of them, the third being present, duly notified to attend, shall be final and conclusive, and binding on both Companies; and on payment, by the Company hereby incorporated, to the said Montreal and Lachine Railroad Company, of the sum ascertained by such award, the Railroad and property, rights, privileges, and advantages of the said last named Company shall be transferred to and vested in the Company hereby incorporated: Provided always, that in estimating the price to be paid as aforesaid, the said Arbitrators shall be guided by the consideration of the actual value of the said Railroad and property, rights, privileges, and advantages of the Company hereby

incorporated at the time when the said arbitration shall take place: and if, at that time, the actual or prescribed gauge of the Railway of the said Company shall be different from that of the Railroad of the said Montreal and Lachine Railroad Company, the value of the locomotive engines, cars, tenders and other equipments of the said Railroad not adapted for use on a Railroad of a different gauge, shall not be taken into account by the said Arbitrators; nor shall the property or possession thereof be transferred by or under the said award or otherwise, without the full and free consent of both Companies."

And the said Amendment, being read a second time, was agreed to.

Ordered, That Mr. Cartier do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendment.

Bill relating to Lunatics. Ordered, That the Amendment made by the Legislative Council to the Bill, intituled, "An Act to authorize the confinement of Lunatics in cases where their being at large may be dangerous to the Public," be now taken into consideration.

The House proceeded accordingly to take the said Amendment into consideration; and the same was read, as followeth:--

Press 5, line 36. Leave out from "respectively" to "and" in Press 6, line 25. And the said Amendment, being read a second time, was agreed to.

Ordered, That Mr. Solicitor General Macdonald do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendment.

Lessors and Lessees Bill (L.C.). An engrossed Bill to amend the Act to regulate the exercise of certain rights of Lessors and Lessees in Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Lemieux do carry the Bill to the Legislative Council, and desire their concurrence.

Action of Ejectment Bill. The Honorable Mr. Badgley reported the Bill to alter and settle the mode of proceeding in the Action of Ejectment; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time to-morrow.

Bill relating to Summary Convictions. An engrossed Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to summary convictions and orders, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Bill to define certain rights of Seigniors, &c. The Order of the day for resuming the adjourned Debate upon the Question proposed upon Saturday last, That the Speaker do now leave the Chair, (for the House in Committee on the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof,) being read:

And the Question being again proposed:--The House resumed the said adjourned Debate.¹

SIR A. MACNAB suggested that the debate on the Seigniorial question should stand

over till next Session, as he understood that the debate, recommenced, would prevent the transaction of other business before Saturday, when the prorogation was to take place.² The question was of such importance that it should go through by easy stages³. There were many bills of much importance, which it was desirable to pass, and which would give rise to little or no debate. In the Imperial Parliament, when measures of great importance came up, they were discussed with due deliberation and proper time was afforded for the expression of the public opinion with regard to them. Such a practice should be pursued here.⁴

Some further discussion [arose] on the question of postponement⁵.

COL. GUGY made some remarks on the merits of the bill, and declared that he would agree to the Commutation Bill with some amendments, but he said he would resist the Declaratory Bill so long as he had a leg left to stand upon. He would oppose it in every detail to its frustration, and he would be a cur, indeed, if he were to quietly submit to be robbed. He made that announcement, and was prepared to take the responsibility of it.⁶

MR. SOL. GEN. DRUMMOND spoke in reply, going over his arguments of the previous evening⁷. [He] said the matter had been already fully discussed, and would probably occupy less time than the gallant Knight appeared to imagine. On Monday, when the Commutation bill was presented, an understanding was arrived at, that further proceedings should be resumed to-day, and he hoped that the arrangement would be adhered to.⁸ The bill was a most liberal interpretation of the ancient laws.⁹

MR. H. SMITH (Frontenac) supported Sir Allan's recommendation. A very brief portion of the session had remained for business, and it should be turned to the best possible account instead of being consumed with a subject which could not possibly be disposed of altogether.¹⁰

MR. AT. GEN. LAFONTAINE ... [did not agree with] ... the gallant Knight.¹¹

MR. MACKENZIE insisted that no other measure before the House could compare in importance with the seignorial question, which should be disposed of without further delay. It was due to Lower Canada that the question should be discussed and settled forthwith.¹²

COL. PRINCE admitted that the question was of paramount importance, and because of that circumstance, he was averse to proceeding with it at this period of the Session. But one day, or at the most two days, now remained for business and it would be unseemly to lay aside bills of considerable value in order that this matter might be advanced a step or two further, with no possibility of passing the final stage.¹³

DR. BOUTHILLIER, as a member of the Select Committee, said (in French) that the Commutation bill might stand over till next session, but that the Declaratory bill should be proceeded with.¹⁴

MR. ARMSTRONG (another member of the Committee), said that the intention of the Committee was that the Commutation bill should stand over till another session; but, nevertheless, he was prepared now to vote for it, and he believed that that vote would be concurred in by the majority of the censitaires.¹⁵

MR. ROSS, COL. GUGY and MR. SOL. GEN. DRUMMOND [spoke next].¹⁶

MR. BADGLEY was opposed to the idea of proceeding with the measure, when there was so much business before the House that they would require to attend to. He thought it better that both bills were left over to another Session, more particularly as there was so short a time to the prorogation.¹⁷

After a long continued discussion, MR. SOL. GEN. DRUMMOND announced that he was prepared to proceed with the bill for commutation. He, therefore, only desired the House to go into Committee pro forma, and to rise immediately and report progress, and ask for leave to sit again. This course having been agreed to by an understanding among the leading members on both sides of the House, the Committee sat, and after a few moments spent in it, rose and reported progress¹⁸.

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And the Question being put:--It was resolved in the Affirmative.

The House accordingly resolved itself into the said Committee.

Mr. Boulton of Toronto took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Boulton of Toronto reported, That the Committee had made some progress, and directed him to move for leave to sit again.

*Ordered, That the Committee have leave to sit again this day.*¹⁹

Message from
the Council.

*A Message from the Legislative Council, by John Fennings
Taylor, Esquire, one of the Masters in Chancery:--*

Mr. Speaker,

*The Legislative Council have passed the following Bills, without Amendment,
viz:--*

Civil List Act
Amendment Bill.

*Bill, intituled, "An Act to amend the Act for granting a
Civil List to Her Majesty:"*

Bill to reduce
certain Salaries.

*Bill, intituled, "An Act to reduce the Salaries attached to
certain Judicial Offices, in the cases therein mentioned, and
to fix the Salaries of the Speakers of the Legislative Council
and of the Legislative Assembly:"*

Bill to correct
a Clerical
Error in the
Act 13 & 14
Vic. cap. 96.

*Bill, intituled, "An Act to correct a clerical error in
the English version of the Act of last Session exempting Masters
of Vessels belonging to Lower Canada from taking Pilots in
certain cases:"*

Pawnbrokers
Bill.

*Bill, intituled, "An Act for the regulation of Pawnbrokers
and Pawnbroking:" And also,*

Burlington
Ladies'
Academy.

*The Legislative Council have agreed to the Amendment made
by this House to the Bill, intituled, "An Act to incorporate
the Burlington Ladies' Academy," without any Amendment: And
also,*

Navigation of
the Inland
Waters Bill.

*The Legislative Council have passed the Bill, intituled,
'An Act to amend an Act, intituled, 'An Act to compel Vessels
to carry a Light during the Night, and to make sundry provisions
to regulate the navigation of the waters of this Province,'"
with several Amendments, to which they desire the concurrence of this House.*

And then he withdrew.

At²⁰ a quarter past seven o'clock²¹ MR. SOL. GEN. DRUMMOND ... moved the second reading of the bill for the redemption of the Seigniorial rights.²²

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Seigniorial
Tenure Com-
mutation Bill.

*The Order of the day for the second reading of the Bill to
facilitate the redemption of Seigniorial rights in Lower Canada,
and to convert the Tenure of Lands chargeable therewith into*

that of franc aleu roturier, being read;

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, acquainted the House, That His Excellency having been informed of the purport of the Bill, gives his consent as far as Her Majesty's interest is concerned, that the House may do therein as they shall think fit.

COL. GUGY here stated that, though he would desire some amendments in this bill, the hon. Solicitor General should nevertheless find him rather an assistant than an opponent.²³

MR. SEYMOUR would oppose the second reading of the bill. He saw that there was a provision for the erection of three Commissioners, who were to be paid out of the Consolidated Fund of the Province. He could not understand why the expense should be borne by Upper Canada.²⁴

MR. CHAUVEAU was astonished, when he heard gentlemen, who had so long deplored the condition of the people of Lower Canada as serfs now complain of the expenditure of a paltry sum of money.²⁵

MR. MACDONALD [Kingston] could not understand why Upper Canada should always have to pay everything that was required for Lower Canada. There was to be an appointment of Commissioners, who would evidently be almost permanent, and how were they to be paid? Why first out of the consolidated fund, and then how? Why the consolidated fund was to be repaid out of the seigniorial rights of the Crown, that was to say out of the Crown Lands of the Province.²⁶

MR. AT. GEN. BALDWIN expressed his regret at the opposition to a most important bill, for a mere sum of money.²⁷

MR. RICHARDS thought this point a mere matter of detail²⁸.

MR. SOL. GEN. MACDONALD and SIR A. MACNAB professed their intention to vote for the second reading though they opposed the expense of the Commission being charged on the Province.²⁹

MR. CAUCHON said that a precisely similar principle had been determined upon in the case of the Rectories, in which the Province had undertaken to try the right of the Rectors, which might come to a very large sum.³⁰

MR. MACKENZIE read an extract from a report of Mr. John Neilson and others, in 1831, objecting to the conversion of the tenure of Lower Canada into free and common socage, from the fear that the change might bring a large number of English, Scotch, and Irish settlers into the country, and thus spread democratic ideas which had been hitherto found so dangerous to the English Crown. He went on to speak against the pretensions set up by the seigniors.³¹

The discussion was prolonged till midnight but was only a repetition of the argument already reported on former occasions.³²

At ten minutes past 12 o'clock, the second reading was carried without division; and the bill was referred to the same committee of the whole to which was referred the declaratory law.³³

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The Bill was then read a second time; and committed to the Committee of the whole House on the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof.

Mr. Gagy moved, seconded by the Honorable Mr. Viger, and the Question being put, That it be an Instruction to the said Committee, to take the Bill to facilitate the redemption of Seigniorial rights in Lower Canada, and to convert the Tenure of

Lands chargeable therewith into that of franc aleu roturier, into consideration before the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Christie, Gugy, Prince, and Viger.--(4.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Dickson, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, Méthot, Mongenais, Notman, Polette, Robinson, Ross, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Stevenson, and Taché.--(38.)

So it passed in the Negative.

Mr. Gugy moved, seconded by the Honorable Mr. Viger, and the Question being put, That it be an Instruction to the said Committee, to consider the expediency of leaving out all the words after "Whereas" in the Preamble of the Bill to facilitate the redemption of Seigniorial rights in Lower Canada, and to convert the Tenure of Lands chargeable therewith into that of franc aleu roturier, and inserting instead thereof the words "forty Petitions have been presented to the Legislative Assembly upon the subject of the Seigniorial Tenure in Lower Canada, in thirty-nine of which the Petitioners pray for the abolition of that Tenure; and whereas the Legislative Assembly, by its Resolutions, adopted on the twenty-sixth day of June, 1850, has declared that it was important, at as early a period as possible, to effect the conversion of the Seigniorial Tenure into a free one; and whereas it is, as by the said Resolutions it is declared to be, expedient and necessary so to do, taking care that all the interests concerned are protected and equitably adjusted, and that a fair indemnity be secured to all parties whose just rights it will affect: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, 'An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,' and it is hereby enacted, by the authority of the same, That the said Tenure shall be gradually abolished by commutation, in the manner hereinafter specified.

"And be it enacted, That whensoever either the Seignior or the majority of the Censitaires of any Fief shall, by Petition to the Administrator of the Government for the time being, signify his or their desire that the Seigniorial Tenure in such Fief should be abolished, it shall and may be lawful for the said then Administrator of the Government to issue his Proclamation, calling upon all persons in any way interested or concerned, to conform to the provisions of this Act: Provided always, that whensoever the said Administrator of the Government shall see cause to retard the issuing of the said Proclamation, the same may be delayed for a period not exceeding six months: Provided always, that the Island of Montreal shall not be subject to the operation of this Act.

"And be it enacted, That upon a day to be assigned in such Proclamation, the Censitaires in such Fief shall become a Corporation for the purpose of the said abolition or commutation, and for no other purpose whatsoever, and such Corporation shall take the name of the Fief, and shall have power to sue and be sued, by and under the name hereinafter stated, and shall, by ballot, in the manner to be determined by the then Administrator of the Government by his Proclamation, name and appoint three persons to be called Syndics of such Fief, to act on behalf of the

said Censitaires in carrying out the provision of this Act, which persons so named shall have all the powers necessary for so doing: Provided also, that the said Censitaires may, in the manner hereinabove specified, fill any vacancy which may occur among the Syndics by another election, which election shall take place within ten days after the occurrence of such vacancy: Provided further, that whensoever the said Censitaires shall fail to name Syndics, or to fill up any vacancy, it shall and may be lawful for the Person administering the Government for the time being so to do, by Proclamation; and the persons named in such Proclamation shall in every case be bound to act as Syndics, under the penalties hereinunder set forth.

"And to effect such abolition of Tenure, it is hereby enacted, That the indemnity to be paid by the Censitaire to the Seigneur shall consist of and be ten shillings currency, upon and for every superficial acre of conceded land, and the same shall be paid to the Seigneur in the manner and at the times hereinafter set forth: Provided always, that the said sums shall be due and payable in the first place by each individual proprietor for the number of arpents of land held by him en censive, but that so soon as the debtor's inability to pay shall be legally established, the Seigneur shall have a claim and right of action against the Corporation for such balance as may be then due to him: Provided always, that nothing herein contained shall be construed to prevent any Seigneur or Censitaire from commuting and abolishing the Tenure upon any other terms on which they shall both agree.

"And be it enacted, That the said sum of ten shillings currency, for each superficial arpent of conceded land, as hereinabove specified, shall be so paid to the Seigneur by each individual Censitaire, or in his default, by the said Corporation of the Fief, in five yearly payments of two shillings each with interest, whereof the first shall be paid in one year from the date of the Proclamation relating to such Fief, and the second, third, fourth, and fifth, in the next four successive years or sooner, at the option of the debtor: Provided always, that the Seigneur, to enforce his claims, shall have a right of action as well against the Censitaire as against every individual member of the Corporation, saving the

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recourse of such members as may pay against the other members, and such right of the Seigneur, and recourse of members of the Corporation, shall be maintained by the Courts of Justice in due course of law.

"And be it enacted, That every arpent of land for which the sum hereinabove specified shall have been paid in accordance with the provisions of this Act, shall be free of every Seigniorial obligation or claim whatsoever, and shall be thereafter held en franc aleu roturier for ever.

"And be it enacted, That until the first instalment of the aforesaid commutation shall have been paid and satisfied, no deduction or change in the annual accustomed rents or lods et ventes or other Seigniorial dues accruing after the issuing of the Proclamation shall be made; but that after the payment of the first instalment the said rents and dues shall be diminished one-fourth, and so on proportionately on payment of the second, third and fourth instalments, until upon the payment of the fifth and last instalment, the claims of the Seigneur shall be wholly extinguished.

"And be it enacted, That nothing herein contained shall be construed to affect or in any wise to impair the privileged right of the Seigneur to all arrears of rents and dues which may have accrued before the issuing of the Proclamation, or his right to preserve and hold all mills, lands or immovable property of any kind held by himself within such Fief, all which shall after the abolition of Seigniorial Tenure be held by him en franc aleu.

"And whereas the lands in any Seigniority may be of unequal value; be it therefore enacted, That the Syndics shall equalize the obligations of the several

Censitaires, so that each Censitaire shall be made to pay, as nearly as possible, a sum bearing the same proportion to the value of his land as the sum to be paid by the whole Corporation may bear to the aggregate value of all the land held en censive in the Fief, and that the said Syndics shall raise by assessment upon the proprietors of the more valuable lots and farms a sum sufficient to indemnify the holders of the less valuable lots and farms, either by paying the difference on behalf of the latter to the Seigneur, or to the Censitaire himself, if he shall have satisfied the Seigneur: Provided always, that the said Syndics may employ competent persons to prepare the assessment rôle, 'répartition and cotisation,' and for all the purposes of this Act, and may pay to the persons so employed a reasonable compensation.

"And be it enacted, That whensoever, within three months after the issuing of the Proclamation, the Syndics shall notify to the Seigneur that the Corporation desire to purchase the unconceded lands for the benefit of the Censitaires generally, then and in that case they, the Seigniors, shall be authorized and bound to submit to an appraisement or valuation thereof by experts, each party choosing one, and the two so chosen naming the third before entering upon their duties, which three persons having firstly taken and subscribed the oath in the form of the Schedule A, appended to this Act, shall fix and determine the value of such unconceded lands. And thereupon the said Seigneur shall be bound to receive, and the said Corporation shall be bound to pay to the said Seigneur, one-half of the estimated value of such unconceded lands in the five yearly instalments with interest, as provided in the fifth Clause of this Act: Provided always, that the said Syndics shall have power and authority to raise the said amount by assessment, and to pay the same to the Seigneur as herein provided; which payment the Seigneur shall have the right to enforce by law against the said Corporation: Provided also, that upon making such payment, the said unconceded lands shall vest absolutely in franc aleu in the said Corporation, and may by the said Corporation be sold and disposed of as they may see fit: And provided further, that for securing the payment of the several amounts due, or to be due to him, the Seigneur shall continue to have a privileged hypothèque upon the land, in relation to which any debt may be due to him, or on which he lawfully may have any claim: Provided lastly, that when any Seigneur shall see fit, he shall be at liberty to surrender the unconceded lands in his Fief to the Crown, and shall thereby be free from all liability in relation thereto.

"And be it enacted, That the Administrator of the Government shall erect a tribunal, to be composed of as many members as may be necessary to meet the requirements of this Act, for the decision and adjustment of all questions arising out of this Act, to be called the Seigniorial Court, and shall in due form constitute and appoint the Judges, whereof three shall, during the time necessary for the settlement of such questions, hold their sittings within any Seigniorly undergoing the process of commutation, and shall not only hear witnesses, but examine the localities and premises in contestation, and specifying what has been proved by evidence and what has been established by their own view, shall decide in a summary manner, assigning the grounds and reasons of their decision: Provided always, that at the instance of either party an appeal shall lie to the Superior Court, after the form of process provided in appeals from the Circuit Court, and from the Superior Court to the Court of Queen's Bench: Provided further, that should it be found impossible to carry out the provisions of this Act in any particular Fief or Fiefs, the said Judges of the Seigniorial Court shall be forthwith bound to make a Special Report to the Executive, setting forth the facts and their reasons at length, in order that further Legislative provision may be made therefor, as the case may be found to require.

"And be it enacted, That whensoever any Fief shall be so large as to make it inconvenient for three Syndics to perform the duties devolving upon them under this Act, such Fief shall, by the Proclamation to be issued as herein provided, be

divided into convenient circles or divisions, and every circle or division shall be held to be, for all the purposes of this Act, a separate and distinct Corporation: Provided always, that in respect of the right to purchase the unconceded lands, the same when exercised, or to be exercised, shall belong to the whole Fief, and the several Corporations into which any Fief shall be divided shall then be united and act by and through their respective Syndics, acting as one body.

"And be it enacted, That whenever a difference of opinion shall arise among the Syndics, the act of any majority shall be deemed to be, and be as binding as the act of the whole.

"And be it enacted, That so soon as the indemnity shall be paid for all the land in every Fief, as hereinbefore provided, all and every the feudal rights of the Seignior thereof shall be abolished and extinguished without any exception or reserve whatsoever.

"And be it enacted, That from and after the passing of this Act, the droit de quint due and payable on certain occasions to the Crown shall be and remain abolished and extinguished; but that any reserve of mines or minerals contained in the original grants shall be and remain in full force and virtue.

"And be it enacted, That whensoever any person or persons shall set up any claim

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against the Seignior of any such Fief, or against the Fief itself, such person shall be bound to take notice of the Proclamation, and within three months to file such claim with the Syndics, delivering a copy to the Seignior and to every other interested party; which filing shall operate as a saving and reserving of all the rights of the claimant, and shall justify the Syndics and Censitaires in withholding from the Seignior the full amount specified in such claims, until the validity thereof shall be determined in due course of law; and it shall be the duty of the Seigniorial Judges to take cognizance of such claims, and to decide upon the merits thereof in due course of law: Provided always, that upon the consent, in writing, of the Seignior, any sum by him admitted to be due may be paid to his creditor or creditors upon such claim, at such times as such sum might have been justly exacted by the said Seignior.

"And be it enacted, That every Syndic who shall refuse to act when duly appointed shall forfeit and pay a sum of five pounds currency, for every day that he shall so refuse, which sum shall be recoverable in any Court of Law, at the suit of any person whatsoever: Provided always, every person above sixty years of age, of infirm health, permanently residing out of the Fief, shall be exempt from acting as Syndic, and that any person or persons claiming to be exempt shall and may submit such claim to exemption to the Seigniorial Judges, who shall decide thereupon summarily, and whensoever such claim shall by them be duly admitted, such admission shall amount to a vacancy;"

The House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Christie, Gugy, Attorney General LaFontaine, LaTerrière, Prince, and Viger.--(6.)

NAYS.

Messieurs Armstrong, Badgley, Baldwin, Bell, Boulton of TORONTO, Bouthillier, Cartier, Cauchon, Cayley, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Hincks, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, Malloch, McConnell, Méthot, Mongenais, Notman, Polette, Robinson, Ross, Sanborn, Sauvageau, Scott of TWO MOUNTAINS, Stevenson, and Taché.--(36.)

So it passed in the Negative.

Two Bills
relating to
the Seignio-
rial Tenure.

Mr. Solicitor General Drummond moved, seconded by Mr. Bouthillier, and the Question being proposed, That the Order of the day for the House in Committee on the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof, and on the Bill to facilitate the redemption of Seigniorial rights in Lower Canada, and to convert the Tenure of Lands chargeable therewith into that of franc alev roturier, be now read;

And a Debate arising thereupon;

Mr. Gugy moved, seconded by the Honorable Mr. Viger, and the Question being put, That the Debate be adjourned until to-morrow; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Boulton of TORONTO, Cayley, Christie, Dickson, Gugy, Hincks, Attorney General LaFontaine, LaTerrière, Solicitor General Macdonald, Macdonald of KINGSTON, Prince, and Viger.--(14.)

NAYS.

Messieurs Armstrong, Bouthillier, Cartier, Cauchon, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Fourquin, Laurin, Lemieux, Letellier, Mackenzie, McConnell, Méthot, Mongenais, Notman, Polette, Ross, Scott of TWO MOUNTAINS, and Taché.--(23.)

So it passed in the Negative.³⁴

COL. GUGY continued to make motions for postponement, for a considerable time.³⁵

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And the Question being put, That the Order of the day for the House in Committee on the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof, and on the Bill to facilitate the redemption of Seigniorial rights in Lower Canada, and to convert the Tenure of Lands chargeable therewith into that of franc alev roturier, be now read:--It was resolved in the Affirmative.

And the said Order being read;

Ordered, That the said Order be postponed until to-morrow, and be then the first Order of the day; and that the Orders of the day be called before the introduction of any new matter in the House in the order in which they stand, pursuant to the Standing Orders.

Orders
deferred.

Ordered, That the remaining Orders of the day be postponed until to-morrow.

Then, on motion of Mr. Solicitor General Drummond, seconded by the Honorable Mr. Chabot,
The House adjourned.

APPENDIX: 27 AUGUST 1851.

[WITHDRAWN MOTION RE: SEIGNIORIAL RIGHTS TO RENT AND DUES.]³⁶

COL. GUGY moved an address to the Governor General, praying him to direct that measures be forthwith adopted to ascertain judicially whether or not, by law, the Seigniors of Lower Canada are entitled to exact such rents and dues, exceeding two pence per acre, as may be specified in their deeds of concession to their censitaires.³⁷

MR. AT. GEN. LAFONTAINE suggested that the proper time for such a motion would be when the fate of the bills before the House had been decided.³⁸

Motion withdrawn.³⁹

FOOTNOTES: 27 AUGUST 1851.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 August 1851, MONTREAL GAZETTE, 1 September 1851, PILOT, 4 September 1851, and NORTH AMERICAN, 5 September 1851. The following papers reported the debate in partially identical accounts: GLOBE, 28 August 1851, whose account was almost entirely illegible, and HAMILTON SPECTATOR, 30 August 1851. LA MINERVE, 30 August 1851, noted the debate.
2. HAMILTON SPECTATOR, 30 August 1851.
3. BRITISH COLONIST, 29 August 1851.
4. HAMILTON SPECTATOR, 30 August 1851.
5. BRITISH COLONIST, 29 August 1851.
6. IBID.
7. IBID.
8. HAMILTON SPECTATOR, 30 August 1851.
9. BRITISH COLONIST, 29 August 1851.
10. HAMILTON SPECTATOR, 30 August 1851.
11. GLOBE, 28 August 1851.
12. HAMILTON SPECTATOR, 30 August 1851.
13. IBID.
14. IBID.
15. IBID.
16. GLOBE, 28 August 1851.
17. HAMILTON SPECTATOR, 30 August 1851.
18. BRITISH COLONIST, 29 August 1851.
19. BRITISH COLONIST, 29 August 1851, MONTREAL GAZETTE, 1 September 1851, PILOT, 4 September 1851, and NORTH AMERICAN, 5 September 1851, all reported incorrectly that the Committee obtained leave to sit on Tuesday, and commented that "this of course destroys the bill for this session."
20. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 August 1851, MONTREAL GAZETTE, 1 September 1851, PILOT, 4 September 1851, and NORTH AMERICAN, 5 September 1851. The following papers reported the debate in partially identical accounts: GLOBE, 28 August 1851, and HAMILTON SPECTATOR, 30 August 1851. LA MINERVE, 2 September 1851, commented: "il s'éleva une discussion sur cette proposition, mais il n'en est sorti rien de nouveau!"
21. HAMILTON SPECTATOR, 30 August 1851.
22. BRITISH COLONIST, 29 August 1851.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 29 August 1851, MONTREAL GAZETTE, 1 September 1851, PILOT, 4 September 1851, and NORTH AMERICAN, 5 September 1851. The following papers reported the debate in partially identical accounts: GLOBE, 28 August 1851, and HAMILTON SPECTATOR, 30 August 1851, both of which noted that "Mr. Gagy continued to speak, and was left speaking at 25 minutes to one o'clock,"

(when the reporter left).

35. BRITISH COLONIST, 29 August 1851, which commented that "Mr. Gugy was still engaged in ... [making motions for postponement] when the reporters left the House, the proceedings being reduced to a mere match against time."
36. The following papers reported this withdrawn motion in identical accounts: BRITISH COLONIST, 29 August 1851, GLOBE, 28 August 1851, MONTREAL GAZETTE, 1 September 1851, PILOT, 4 September 1851, and NORTH AMERICAN, 5 September 1851. LA MINERVE, 30 August 1851, noted the motion.
37. BRITISH COLONIST, 29 August 1851.
38. IBID.
39. IBID.

THURSDAY, 28 AUGUST 1851.

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Two Bills relating to the Seigniorial Tenure.

*THE Order of the day for the House in Committee on the Bill to define certain rights of Seigniors and Censitaires in Lower Canada, and to facilitate the exercise thereof, and on the Bill to facilitate the redemption of Seigniorial rights in Lower Canada, and to convert the Tenure of Lands chargeable therewith into that of franc aleu roturier, being read;*¹

MR. SOL. GEN. DRUMMOND moved the committal of the Seigniorial Commutation Bill.²

MR. LYON objected. The House was to be prorogued on Saturday; many Upper Canada measures had been postponed for this Bill; and if it were now gone on with, many other measures must fall to the ground.³

MR. CHABOT asked if it really were the intention of the Government to prorogue the House on Saturday, because if so, it would be better to stop the measure at once, as it could not pass and go on with measures that might pass.⁴

MR. INSP. GEN. HINCKS said it was the intention to prorogue the House on Saturday.⁵

MR. SOL. GEN. DRUMMOND remarked that he was the less sorry to have to withdraw the Bill before the house, because he did think it was advisable that a Bill for the commutation of the tenure should be some time before the country before it became law.⁶

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Mr. Solicitor General Drummond moved, seconded by the Honorable Mr. Hincks, and the Question being put, That the said Order be discharged;

MR. ARMSTRONG then, in allusion to a part of the debate the preceding evening said,--the hon. member for Sherbrooke seemed to take particular pleasure in signaling his name, and but for his doing so he would not have risen, because all that can be said was useless, as the Government had told the house that it would not be allowed to go on beyond Saturday, which was virtually saying you shall not pass this measure. The hon. member for Sherbrooke said last night that the hon. member for Haldimand had stated an untruth when he said that seigniors had not or could not sue for any amount in the Court of Queen's Bench; and he further said that he, the hon. member for Haldimand, had better not serve as the mouth-piece for those who had not the courage and dared not make such statements themselves. "Dared!" Why he dared the hon. member to deny what he stated was a fact that the seigniors had a right, and often exercised the right to sue, in the Superior Court of Queen's Bench for any amount, aye, even for half a dollar while every other class are forced to go to inferior courts to recover similar amounts. Could the hon. member deny that? Now, as regarded the conspiracy, he alleged that he branded the seignior, with entering into compacts with notaries. He could state, as a fact, that every time a new tenure was obtained from the Government, the seignior names the Notary who was to renew the titles, and, of course, it was one who would be at his bidding. Well, how were these contracts renewed?--first at the expense of the censitaire, and a heavy expense it was--and in hundreds of cases, where, from the subdivision of farms, or by other means, the original deed of concession could not be found, new deeds with higher rents and new burdens were introduced, and the unfortunate censitaires were obliged to accept of them. Lawsuits upon lawsuits followed these, notwithstanding the difference of opinion which existed between the hon. Attorney General last and the great majority of the members of Lower Canada. He would not refuse his meed of praise and thanks for the noble stand that gentleman had always taken in the courts of justice in favor of the censitaires. He believed that gentleman when he said, that had he become the advocate of the seigniors instead of the censitaires, he would be a richer

man to-day than he was; but in this case he could not approve his conduct, and he feared the country would not. As regarded those who had obstructed this measure from day to day, he believed, or else he did not know public feeling, not one of them will have an opportunity of showing his eloquence against the censitaires at the next Parliament. As for the hon. member (LaTerrière) who had interrupted him he thought it showed very little generosity--after listening to him reading his long speeches, night after night, for a week past. The hon. member for Terrebonne repeated, as he understood last evening when he (Mr. A.) was out of the house, the 'duve' [sic] to sustain what the hon. member for Haldimand had stated. He was really surprised that the gentleman should have gone so far in the wake of his new ally the member for Sherbrooke--he should certainly remember having seen, and contested cases for censitaires, when he was not a seignior, against the seigniors of Berthier; even on deeds which bear the signature of his own father-in-law, who was agent and the notary of the seigniors of Berthier. He might go on at great length, but he dare not take up the time of the House, now that the government had decided not to afford us time to carry the measure; but before taking his seat, he must repeat to the hon. member for Sherbrooke, that although he dare not, at all times get up in the house to answer his long and vituperous speeches against particular members, and against censitaires in general, he dared to do anything else the hon. member might take a fancy to; and to his repeated assertions that the act was an act of spoliation, and those who supported it were spoliators, he could only retort by saying that the seigniors in general had robbed the censitaires for seventy years past, and so long as the question remained as it now was, he would take leave to say in parliamentary language, that they were no more nor less, than robbers.⁷

MR. LETELLIER said he could not allow the question to be postponed without offering his opinion on its postponement; the administration did not think proper to take up the seigniorial tenure as a ministerial question, and he could not understand now that they will not grant the time necessary to its final settlement; he could not understand it, particularly when he thought of the immense amount of labor of enquiry and of discussion which will be of no avail. No good reason is assigned for that postponement. The session is just to be prorogued when the question is nearly settled. Will any one pretend to say that a few days more would not have been granted for the final settlement of any other questions of paramount importance. The administration had not done their duty to the country in that matter, and he felt himself bound to vote against the motion before the chair.⁸

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Bell, Boulton of NORFOLK, Boulton of TORONTO, Cartier, Cauchon, Chabot, Chauveau, Christie, Dickson, Solicitor General Drummond, Fergusson, Gagy, Hopkins, Attorney General LaFontaine, LaTerrière, Lyon, Solicitor General Macdonald, Sir Allan N. MacNab, Méthot, Meyers, Notman, Polette, Price, Prince, Richards, Robinson, Ross, Sanborn, Sherwood of BROCKVILLE, Smith of DURHAM, Smith of WENTWORTH, Stevenson, and Viger.--(34.)

NAYS.

Messieurs Armstrong, Bouthillier, Duchesnay, Fortier, Fournier, Fourquin, Laurin, Lemieux, Letellier, McConnell, Mongenais, Smith of FRONTENAC, and Taché.--(13.)

So it was resolved in the Affirmative.

After a very desultory conversation the orders of the day were withdrawn, and the measure of course dropped.⁹

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Bill relating to Indictable Offences.

An engrossed Bill to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences, was, according to

Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to the Provincial Statutes. An engrossed Bill to repeal part of the Act therein mentioned, relative to the printing and distribution of the

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Provincial Statutes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Stevenson do carry the Bill to the Legislative Council, and desire their concurrence.

Post Office Act Amendment Bill. The Order of the day for the third reading of the engrossed Bill from the Legislative Council, intituled, "An Act to amend the Post Office Act," being read;

The Honorable Mr. Price moved, seconded by the Honorable Mr. Attorney General LaFontaine, and the Question being proposed, That the Bill be now read the third time;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Hopkins, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be forthwith re-committed to a Committee of the whole House, for the purpose of inserting, after the twenty-third Clause, the following Clause as an amendment to the Bill: "And be it enacted, That no vehicle carrying the Mail shall be exempt from tolls or dues on any road or bridge within this Province, constructed by private persons or Joint Stock Companies, or Municipal Corporations, or upon any toll-road or bridge constructed by the Government and transferred to any Municipal Corporation or Joint Stock Company, unless such roads or bridges were transferred with exemption from toll upon such stage or vehicle" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Cameron of CORNWALL, Christie, Dickson, Fergusson, Fourquin, Hopkins, Macdonald of KINGSTON, Merritt, Meyers, Notman, Richards, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, and Stevenson.
--(18.)

NAYS.

Messieurs Badgley, Bell, Bouthillier, Cauchon, Chabot, Solicitor General Drummond, Fortier, Fournier, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lyon, Solicitor General Macdonald, Mackenzie, McConnell, Mongenais, Polette, Price, Ross, Sherwood of TORONTO, Smith of FRONTENAC, and Taché.--(23.)

So it passed in the Negative.

Then the main Question being put;--It was resolved in the Affirmative.
The Bill was accordingly read the third time.

Resolved, That the Bill, with the Amendments, do pass.

Ordered, That the Honorable Mr. Price do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, with Amendments, to which they desire their concurrence.

Justices of the
Peace (U.C.)
Fees Bill.

An engrossed Bill to establish an uniform rate of Fees to be received by Justices of the Peace in Upper Canada, and to repeal the Act of Upper Canada passed in the fourth year of the reign of King William the Fourth, chapter seventeen, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Notman do carry the Bill to the Legislative Council, and desire their concurrence.

Normal School
Bill (L.C.).

An engrossed Bill to provide for the establishment of a Normal School, and further to promote Education in Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Attorney General LaFontaine do carry the Bill to the Legislative Council, and desire their concurrence.

Bill to set
apart Lands for
Indians (L.C.).

An engrossed Bill to set apart certain Lands in Lower Canada for the use of the Indians of that part of the Province, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to authorize the setting apart of Lands for the use of certain Indian Tribes in Lower Canada."

Ordered, That the Honorable Mr. Price do carry the Bill to the Legislative Council, and desire their concurrence.

Chancery Decrees
and Orders Bill
(U.C.).

An engrossed Bill to confirm Decrees and Orders, and other proceedings of the Court of Chancery of Upper Canada, in certain cases, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Prince do carry the Bill to the Legislative Council, and desire their concurrence.

The Province
Railway
Loan Bill.

An engrossed Bill for raising by way of Loan, a sum not exceeding Four millions of pounds, currency, for making a main Trunk Line of Railway throughout the length of this Province, was, according to Order, read the third time.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Macdonald, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Bouthillier, Cauchon, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Fergusson, Fortier, Fournier, Gugy, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Solicitor General Macdonald, Mongenais, Morrison, Polette, Price, Richards, Ross, Smith of DURHAM, Smith of WENTWORTH, and Taché.--(29.)

NAYS.

Messieurs Badgley, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Dickson, Hopkins, Lyon, Macdonald of KINGSTON, Mackenzie, Sir Allan N. MacNab, Malloch, Merritt, Meyers, Notman, Robinson, Sanborn, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, and Stevenson.--(21.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Debentures
Bill.

An engrossed Bill for raising on the Credit of the Consolidated Revenue Fund, a certain Sum required for the Public Service, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

Commutation of
Property Bill.

An engrossed Bill the better to facilitate the Commutation of Property held en roture in Crown Fiefs and Seigniories, in cases of the valuation of such property by mutual agreement, under a certain Act therein mentioned, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Christie do carry the Bill to the Legislative Council, and desire their concurrence.

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Bill to amend
the Law respect-
ing Protests.

An engrossed Bill to amend the Law respecting the Protesting of Bills of Exchange and Promissory Notes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Smith of Frontenac do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to Foreign
Executors, &c.

The Order of the day for the third reading of the engrossed Bill to remove doubts regarding the right and liability of Foreign Executors, Administrators, and Corporations, to sue and be sued in Lower Canada, being read;

Mr. Solicitor General Drummond moved, seconded by the Honorable Mr. Badgley, and the Question being proposed, That the Bill be now read the third time;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Dickson, That all the words after "now" to the end of the Question be left out, in order to add the words "recommitted to a Committee of the whole House, for the purpose of leaving out all those parts of the Bill which relate to Executors and Administrators" instead thereof;

And the Question being put on the Amendment:--It was resolved in the Affirmative. Then the main Question, so amended, being put;

Ordered, That the Bill be now recommitted to a Committee of the whole House, for the purpose of leaving out all those parts which relate to Executors and Administrators.

The House accordingly resolved itself into the said Committee.

Mr. McFarland took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. McFarland reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. McFarland reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, as amended, be now read the third time.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to remove doubts as to the right of Foreign Corporations to sue and be sued in Lower Canada, and for other purposes."

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Errors in
Patents Bill.

The Order of the day for the second reading of the Bill to repeal a certain provision of the Act for the disposal of Public Lands, relative to the period within which indemnity may be

granted for Errors in Patents, being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time to-morrow.

Bill relating
to Commissions
for taking
Evidence.

The Order of the day for the House in Committee on the Bill to facilitate the issue of Commissions for the examination of Witnesses and the taking of evidence in Suits at Law pending and to be brought in the several Courts of Record in Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Notman took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Notman reported, That the Committee had gone through the Bill, and made amendments thereunto.

And the Question being put, That the Report be now received; the House divided:-- And it was resolved in the Affirmative.

Mr. Notman reported the Bill accordingly; and the amendments were read, and agreed to.

Mr. Lyon moved, seconded by Mr. Smith of Frontenac, and the Question being put, That the Bill be engrossed, and read the third time this day; the House divided:-- And it was resolved in the Affirmative.

Wellington
Land Tax
By-Law Bill.

The Order of the day for the House in Committee on the Bill to provide for the collection of Arrears of Taxes under a certain By-Law of the District Council of the late District of Wellington, and to remove doubts as to the validity of the said By-Law, being

read;

The House accordingly resolved itself into the said Committee.

Mr. Duchesnay took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair.

Clerks of As-
size (U.C.)
Office Regula-
tion Bill.

The Order of the day for the House in Committee on the Bill to regulate the Office of Clerks of Assize in Upper Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Mongenais took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Mongenais reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Mongenais reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time this day.

Bill relating to
Rivers and Rivi-
lets (U.C.).

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Acts for preventing obstructions in Rivers and Rivulets in Upper Canada," being read;

The Bill was accordingly read a second time; and ordered to be read the third time this day.

Eighteenth
Report of
Committee on
Private Bills.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Eighteenth Report of the said Committee; which was read, as followeth:--

Your Committee in concluding their labors, would beg leave to express their opinion, that the new system adopted by Your Honorable House last Session in regard to Private Bills, has been found to work extremely well. The restriction imposed by it for the protection of the rights of individuals and of the public, appear likely to prove most serviceable for accomplishing the purpose for which they were intended. Your Committee would beg leave, however, to make the following suggestions for the better carrying out of the system.

It appears to Your Committee that the number of copies of Private Bills which parties are, by the Sixty-seventh Rule, required to furnish, is not sufficient for the purposes of Your Honorable House, as it affords but one copy for each Member, and leaves, after the various Departments are supplied, but a very few for general distribution; they would therefore beg to recommend that the Rule be amended, by increasing the number to two hundred and fifty.

By the same Rule, all Private Bills are required to be printed by the Contractor for the Sessional Printing, at the expense of the parties; and, by the Seventy-ninth

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Rule it is provided that a certificate from the Queen's Printer that the expense of printing the Act (when passed) has been paid or secured to him, must be deposited with the Clerk of Your Honorable House, before the Bill can be read a third time. In carrying out these provisions, delay is frequently caused in the passage of Bills in consequence of the parties not having provided themselves with these certificates at the proper time. Your Committee would respectfully suggest that, in future, all parties applying for Private Bills be required to deposit with the Clerk, (irrespective of the Fee of Fifteen pounds) a sum fully sufficient to cover the expense of printing the Bill and the Act, (according to the existing Rules;) the balance, if any, to be returned to the parties after these expenses shall have been defrayed.

Ordered, That the said Report be committed to a Committee of the whole House, for tomorrow.

Navigation of
the Inland
Waters Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend an Act, intituled, "An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the navigation of the waters of this Province," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 16. Leave out from "of" to "shall" and insert "Upper Canada."

Press 2, line 5. Leave out from "fog" to "and" in line 8, and insert Clause (A.)

Clause (A.) "And be it enacted, that no part of the foregoing Clauses of this Act shall extend to Lower Canada."

Press 2, line 19. Leave out from "at" to "one" in line 11, and insert "Quebec, Montreal, Bytown, Kingston, Toronto, Hamilton, and Niagara, and at such other places as may be found advisable."

Press 4, line 19. Leave out from "to" to "and" in line 21, and insert "Schooners or Vessels of whatever tonnage, engaged in the coasting trade within and below the Port of Quebec."

Press 5, line 24. After "informer" insert Clause (B.)

Clause (B.) "And be it enacted, that this Act shall commence and be in force upon, from and after the first day of April next, and not before."

And the said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Cameron of Cornwall do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

*Bill relating
to the con-
struction of
Railways.*

The Order of the day for the second reading of the Bill to repeal so much of the Act 13 & 14 Vic. cap. 72, as relates to the construction of Railways, being read;

Sir Allan N. MacNab moved, seconded by Mr. Dickson, and the Question being proposed, That the Bill be now read a

*second time;*¹⁰

SIR A. MACNAB moved the second reading of a bill to repeal so much of 13 and 14 Vic. c. 75, as relates to railways.¹¹

MR. J. CAMERON, MR. MERRITT, MR. H. BOULTON, MR. H. SHERWOOD, MR. ROBINSON, and MR. MACKENZIE, opposed the bill, which was framed to annul the provisions of one of the most useful acts in operation. The object was to put a stop to private enterprise, and especially to a projected railway from Bertie to Brantford, in favour of an undertaking which if unchecked, would become a great monopoly.¹²

MR. MACDONALD [Kingston], MR. INSP. GEN. HINCKS, and SIR A. MACNAB, supported the bill, as necessary to the construction of the great lines of railway throughout the Province.¹³

SIR A. MACNAB said that with regard to the Bertie and Brantford line, he was willing that any rights acquired under the present bill should be saved to the shareholders.¹⁴

MR. INSP. GEN. HINCKS was understood to say that he would move the introduction of a clause into the proposed bill, with the view of protecting those rights.¹⁵

MR. MCFARLAND asked whether the Great Western Company's line from Hamilton to the Suspension Bridge was commenced.¹⁶

SIR A. MACNAB was not aware that the work had been actually commenced, but the surveys had been made. So far as the Great Western Railway was concerned, he was willing to give all the information in his power.¹⁷

MR. MACKENZIE said that the gallant knight was not willing, a short time ago, to give information in regard to the stockholders of this railway.¹⁸

SIR A. MACNAB said that the Company had sent down a full statement of their stockholders and of their affairs generally, which had been laid before the Railway Committee, and to which the hon. member for Haldimand, might have access if he desired it.¹⁹

MR. MCFARLAND moved that the bill be read again that day six months.²⁰

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Mr. McFarland moved in amendment to the Question, seconded by the Honorable Mr. Merritt, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Hopkins, Mackenzie, McFarland, Merritt, Notman, Robinson, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(13.)

NAYS.

Messieurs Badgley, Baldwin, Chabot, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Hincks, Attorney General LaFontaine,

LaTerrière, Laurin, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Sir Allan N. MacNab, Malloch, Meyers, Polette, Price, Prince, Richards, Ross, Sauvageau, Sherwood of BROCKVILLE, Smith of DURHAM, Taché, and Wilson.--(31.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Chabot, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Lemieux, Letellier, Lyon, Solicitor General Macdonald, Sir Allan N. MacNab, Malloch, Meyers, Polette, Price, Prince, Richards, Ross, Sauvageau, Sherwood of BROCKVILLE, Smith of DURHAM, Taché, and Wilson.--(31.)

NAYS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cayley, Hopkins, Mackenzie, McFarland, Merritt, Notman, Robinson, Smith of FRONTENAC, Smith of WENTWORTH, and Stevenson.--(13.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

SIR A. MACNAB then moved that the Bill be referred to a Committee of the whole House.²¹

MR. H. BOULTON opposed the motion of the ground that it was contrary to the rules of the House.²²

This was over-ruled by MR. MORIN the SPEAKER.²³

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Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Wilson took the Chair of the Committee;

The House went into Committee, and two provisions were moved to the effect that nothing in the Bill should be construed to interfere with the Bertie and Brantford Railroad, or any other company legally constituted under the provisions of the Act proposed to be repealed.

On division, the first proviso was carried by 20 to 14.

Another proviso, placing the Buffalo and Brantford company in the same position as if it had been legally constituted, was carried by 18 to 16.²⁴

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Wilson reported, That the Committee had gone through the Bill, and made amendments thereunto,

Ordered, That the Report be now received.

Mr. Wilson reported the Bill accordingly; and the amendments were read, as follow:--

Line ult. After "repealed" insert "Provided always, that nothing herein contained shall in any manner interfere, or be construed to interfere, with the rights that the Brantford and Buffalo Joint Stock Railroad Company, or any person or persons, or body corporate, may have in any manner legally acquired under the provisions of the said recited Act repealed by this Act."

Line ult. of the amendment. After "Act" insert "Provided further, that this Act shall not extend to deprive the said Company, or such person or persons, or

body corporate, of any right they might acquire if the said Act was not repealed."

The first amendment, being read a second time, was agreed to.

The second amendment being read a second time; and the Question being put, That this House doth concur with the Committee in the said amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Fergusson, Hopkins, Letellier, Mackenzie, McConnell, McFarland, Merritt, Morrison, Notman, Robinson, Sanborn, Sauvageau, Smith of FRONTENAC, Smith of WENTWORTH, and Wilson.--(19.)

NAYS.

Messieurs Armstrong, Badgley, Bouthillier, Cauchon, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fournier, Fourquin, Hincks, Attorney General LaFontaine, LaTerrière, Laurin, Solicitor General Macdonald, Sir Allan N.

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MacNab, Malloch, Meyers, Price, Ross, and Sherwood of BROCKVILLE.--(22.)

So it passed in the Negative.

Sir Allan N. MacNab moved, seconded by Mr. Dickson, and the Question being proposed, That the Bill, with the amendment, be engrossed, and read the third time to-morrow;

MR. MORRISON moved that bill be again referred to committee to have an amendment added, that the Buffalo and Brantford Railroad Company, or any other company commenced under the existing Act, shall be allowed to complete its organization, notwithstanding the repeal of that act.²⁵

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Mr. Morrison moved in amendment to the Question, seconded by Mr. McFarland, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be now recommitted for the purpose of adding the following Clause thereto: "And be it enacted, That nothing in this Act shall be construed to prevent the Brantford and Buffalo Railroad Company, or any other Company that may have been commenced under the said Act, from completing their organization under the provisions of the Act hereby repealed" instead thereof;

Mr. McFarland moved, seconded by Mr. Mackenzie, and the Question being put, That this House do now adjourn:--It passed in the Negative.

The Legislative Council here sent down a Bill which was read a first time, and ordered to be read a second time to-morrow, viz:--The Act to make provision for the construction of a main trunk line of railway, with amendments.²⁶

The discussion on the proviso to the bill previously before the House, was then continued, a regular match against time having been commenced and the opponents of the bill giving notice that they considered they had been unfairly treated in the amendments carried in committee, being voted down on the motion of concurrence, and that therefore the bill should not pass, nor any other business be proceeded with, until the rights given under the bill of last year to the Brantford and Bertie Railway were protected in the present bill.²⁷

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And the Amendment to the Original Question being again proposed, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be now recommitted for the purpose of adding the following Clause thereto: "And be it enacted, That nothing in this Act shall be construed to prevent the Brantford and Buffalo Railroad Company, or any other Company that may have been commenced under the said Act, from completing their organization under the pro-

visions of the Act hereby repealed" instead thereof;

The Honorable Mr. Baldwin moved in amendment to the said proposed Amendment, seconded by Mr. Solicitor General Drummond, that the words "Provided always, that nothing herein contained shall be construed to confirm or make valid any defect in the establishment, organization, or proceedings of the said Brantford and Buffalo Railroad Company, or any other such Company as aforesaid" be added at the end thereof;

And the Question being put, That those words be there added:--It was resolved in the Affirmative.

And the Question on the Amendment to the Original Question, so amended, being put;

The House divided:

Yeas, 15.

Nays, 14.

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Many speeches were made on both sides of the House, and many motions made. At 10 minutes after 12, a motion was carried by 15 to 14, referring the bill back to committee.²⁸

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Ordered, That the Bill be now recommitted for the purpose of adding the following Clause thereto: "And be it enacted, That nothing in this Act shall be construed to prevent the Brantford and Buffalo Railroad Company, or any other Company that may have been commenced under the said Act, from completing their organization under the provisions of the Act hereby repealed: Provided always, that nothing herein contained shall be construed to confirm or make valid any defect in the establishment, organization, or proceedings of the said Brantford and Buffalo Railroad Company, or any other such Company as aforesaid."

The House accordingly resolved itself into the said Committee.

Mr. Sanborn took the Chair of the Committee;

In committee, more discussion took place, much of it amidst discordant and most unseemly noises, in the midst of this confusion, a motion was put, but a question or order arose, which led to MR. MORIN the SPEAKER resuming the chair, and afterwards to the committee rising.²⁹

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sanborn reported, That the Committee had gone through the Bill, and made an amendment thereunto.

And the Question being put, That the Report be received;

More wrangling took place--more motions and counter-motions were made and at a quarter past one [a motion to receive] the report of the committee was ... [agreed to]: yeas 21; nays, 12.³⁰

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bouthillier, Cayley, Christie, Dickson, Duchesnay, Fortier, Fournier, Hincks, LaTerrière, Laurin, Solicitor General Macdonald, Sir Allan N. MacNab, Malloch, McConnell, Meyers, Prince, Richards, Ross, and Sherwood of BROCKVILLE.--(21.)

NAYS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Solicitor General Drummond,

Hopkins, Mackenzie, McFarland, Merritt, Morrison, Sanborn, Sauvageau, Smith of WENTWORTH, and Taché.--(12.)

So it was resolved in the Affirmative.

Sir Allan N. MacNab moved, seconded by Mr. Dickson, and the Question being proposed, That the Report be now received;

The debate was then continued on the point whether the report should be then received; or received, as MR. H. BOULTON moved, on the 1st January. 31

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The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Morrison, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment:--It passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

Mr. Sanborn reported the Bill accordingly; and the amendment was read.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Drummond, and the Question being put, That the amendment be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Christie, Dickson, Solicitor General Macdonald, Malloch, Meyers, Richards, Ross, and Sherwood of BROCKVILLE.--(9.)

NAYS.

Messieurs Boulton of NORFOLK, Bouthillier, Solicitor General Drummond, Duchesnay, Fournier, Hincks, Laurin, Mackenzie, McConnell, McFarland, Mongenais, Morrison, Prince, Sanborn, Smith of WENTWORTH, and Taché.--(16.)

So it passed in the Negative.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Drummond, and the Question being proposed, That the Bill be now recommitted, with an Instruction to add the following Proviso thereto: "Provided also, That nothing contained in this Act or in any Acts passed during the present Session shall be construed to prevent the said Brantford and Buffalo Joint Stock Railway Company, or any other Company organized under the provisions of the Act hereby repealed, from proceeding to carry on its operation, or from exercising or enjoying, or continuing to exercise or enjoy all or any of the rights, powers and privileges which such Company or Companies might have exercised or enjoyed if the said Act had not been repealed;"

Mr. Richards moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be engrossed, and read the third time to-morrow;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Baldwin, Bouthillier, Dickson, Fournier, Laurin, Solicitor General Macdonald, Malloch, McConnell, Meyers, Prince, Richards, Ross, and Sherwood of BROCKVILLE.--(14.)

NAYS.

Messieurs Boulton of NORFOLK, Solicitor General Drummond, Duchesnay, Hincks,

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Mackenzie, McFarland, Morrison, Sanborn, Smith of WENTWORTH, and Taché.--(10.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow. 32

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment,
viz:--

Municipal Cor-
porations Act
(U.C.) Amend-
ment Bill.

Bill, intituled, "An Act to amend the Upper Canada Municipal Corporations Act of 1849, by adapting the same to the late change in the Upper Canada Assessment Laws, and for other purposes relating to the Municipal Corporations of that section of the Province:"

Tavern
Licenses Laws
Act (U.C.)
Amendment Bill.

Bill, intituled, "An Act to explain and amend the Act of the last Session, intituled, 'An Act to amend the Laws rela-
time to Tavern Licenses in Upper Canada:'"

Assessment
Law (U.C.)
Amendment Bill.

Bill, intituled, "An Act to explain and amend the Assess-
ment Law of Upper Canada:"

Parishes,
Churches, &c.,
Erection Bill.

Bill, intituled, "An Act to amend the Act to continue and amend the Ordinance concerning the erection of Parishes, Churches, and Church Yards in Lower Canada:"

Jurors Bill
(L.C.).

Bill, intituled, "An Act to amend the Act, intituled, 'An Act to regulate the summoning of Jurors in Lower Canada:'" And also,

Tavern
Keepers &c.
Licenses Bill.

The Legislative Council have passed the Bill, intituled, "An Act to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance,"

with several Amendments, to which they desire the concurrence of this House: And also,

Bill relating
to Jurors (U.C.).

The Legislative Council have passed a Bill, intituled, "An Act to extend the time for making the selection of Jurors and preparing the Jurors Books in Upper Canada in the present year,"

to which they desire the concurrence of this House.

And then he withdrew.

Bill relating
to Jurors (U.C.).

An engrossed Bill from the Legislative Council, intituled, "An Act to extend the time for making the selection of Jurors and preparing the Jurors Books in Upper Canada in the present year," was read for the first time.

On motion of the Honorable Mr. Baldwin, seconded by Mr. Solicitor General Macdonald,

Ordered, That the Bill be read a second time to-morrow.

Message from
the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment,
viz:--

Bill relating
to navigable
Rivers and
Rivulets (L.C.).

Bill, intituled, "An Act to amend an Act passed in the thirteenth and fourteenth years of Her Majesty's Reign, re-
lating to Agriculture in Lower Canada, in so far as the said Act concerns navigable Rivers and Rivulets, and the banks there-
of used in the floating and conveyance of Wood and Timber:"

Montmorency
Bridge Bill.

Bridge:"

Bill relating
to Outrages at
Works undertaken
by Incorporated
Companies.

Bill relating
to certain
Judgments in
Lower Canada.

Bill relating
to the Election
of Members.

Niagara Harbour
and Dock Bill.

Richmond and
Stanstead
Circuit Court
Bill.

Bill to enable
certain married
Women to convey
Real Estate.

Agricultural
Societies (U.C.)
Organization Bill.

Bill relating to
County Grammar
Schools (U.C.).

Bill relating to
the Province
Railway Bill.

Province," to which they desire the concurrence of this House.
And then he withdrew.

Bill relating to
the Province
Railway Bill.

length of this Province," was read the first time.

On motion of the Honorable Mr. Hincks, seconded by Mr. Solicitor General Drummond,
Ordered, That the Bill be read a second time to-morrow.

Registration
of Deeds Bill
(L.C.).

Bill, intituled, "An Act to authorize the Trustees of the Quebec Turnpike Roads to issue Debentures to a limited amount, for the purpose of buying and rebuilding the Montmorency

Bill, intituled, "An Act to continue an Act passed in the eighth year of Her Majesty's Reign, intituled, "An Act for the better preservation of the Peace and the prevention of Riots and violent Outrages at and near Public Works while in progress of construction," and to extend the operation thereof to certain Works undertaken by Incorporated Companies:"

Bill, intituled, "An Act to render executory certain Judgments in Lower Canada, and to provide more effectually to enforce Judgments in case of resistance:"

Bill, intituled, "An Act to amend the Laws regulating the Election of Members of the Legislative Assembly in certain Counties, in so far as relates to the return of Writs:"

Bill, intituled, "An Act to amend the Act of Incorporation of the Niagara Harbour and Dock Company:"

Bill, intituled, "An Act to increase the number of sittings of the Circuit Court at Richmond and Stanstead:"

Bill, intituled, "An Act to enable Married Women resident in foreign countries to convey Real Estate of which they are seized in Upper Canada:"

Bill, intituled, "An Act to provide for the better organization of Agricultural Societies in Upper Canada:"

Bill, intituled, "An Act to repeal the provision limiting the distance between the County Town and any additional Grammar School in the same County, in Upper Canada:" And also,

The Legislative Council have passed a Bill, intituled, "An Act to extend the provisions of an Act passed in the present Session, intituled, 'An Act to make provision for the construction of a main Trunk Line of Railway throughout the length of this

An engrossed Bill from the Legislative Council, intituled, "An Act to extend the provisions of an Act passed in the present Session, intituled, 'An Act to make provision for the construction of a main Trunk Line of Railway throughout the

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration

of Deeds in Lower Canada," being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Badgley took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Badgley reported, That the Committee had gone through the Bill, and made Amendments thereunto.

Ordered, That the Report be now received.

The Honorable Mr. Badgley reported the Bill accordingly; and the Amendments were read, as follow:--

Press 3, line 27. Leave out from "the" where it occurs for the first time, to "be" in line 28, and insert "five leagues of the place."

Press 3, line 32. After "chattels" insert "liable to registration or insinuation."

Press 3, line 33. After "tenements" insert "or real or immoveable property."

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Press 3, line 37. After "registered" insert "or insinué."

Press 4, line ult. After "notwithstanding" insert "Provided always, that nothing in this Act contained shall operate to the prejudice of rights acquired by these parties by the Laws in force at the time of the passing of this Act, in respect of lands and tenements or real estate given by each and every donation or deed of gift inter vivos as above mentioned."

Clause (A.) "Provided always, and be it enacted, That the provisions of this Act shall not apply to the Registrar of the County of Megantic, Division No. 2."

The Amendments, being read a second time, were agreed to.

Ordered, That the Bill be read the third time to-morrow.

Expiring
Laws Contin-
uation Bill.

The Order of the day for the second reading of the Bill to continue for a limited time the several Acts and Ordinances therein mentioned, and for other purposes, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Solicitor General Macdonald took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Solicitor General Macdonald reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Medical Pro-
fession (L.C.)
Bill.

The Order of the day for the House in Committee on the Bill to amend the "Act incorporating the Members of the Medical Profession in Lower Canada, and to regulate the study and practice of Physic and Surgery therein," to afford relief to certain persons who were in practice as Physicians and Surgeons in this Province at the time when the said Act became Law, being read;

The House accordingly resolved itself into the said Committee.

Mr. Laurin took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Laurin reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Supply.

The Order of the day for the House in Committee of Supply, being read;

Ordered, That the said Order be discharged.

Bill relating to Gaols and Houses of Correction.

The Order of the day for the House in Committee on the Bill to provide for a better system of discipline and for a more economical management of Gaols, and for the erection and maintenance of two Houses of Correction for Juvenile offenders, being read;

Ordered, That the said Order be discharged.

Representation Bill.

The Order of the day for the House in Committee on the Bill to enlarge the Representation of the People of this Province in Parliament, being read;

Ordered, That the said Order be discharged.

Bill relating to unorganized Tracts of country in Upper Canada.

The Order of the day for the House in Committee on the Bill to make better provision for the administration of Justice in the unorganized Tracts of Country in Upper Canada, and another reference, with an Instruction to the Committee, being read;

Ordered, That the said Order be discharged.

Shipping of Seamen Bill.

The Order of the day for the second reading of the Bill to amend the Act for regulating the Shipping of Seamen, being read;

Ordered, That the said Order be discharged.

Bill relating to the guarding of the Montreal Gaol.

The Order of the day for the second reading of the Bill to provide means to recover from the Corporation of the City of Montreal, part of the expense incurred in guarding the Common Gaol at the place, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Prince took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Prince reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Prince reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Hunting and Game Bill.

The Order of the day for the House in Committee on the Bill for the regulation of Hunting and the preservation of Game, being read;

The House accordingly resolved itself into the said Committee.

Mr. Solicitor General Drummond took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Solicitor General Drummond reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be received to-morrow.

Wolfe Island,
Kingston and
Toronto Rail-
road Bill.

The Order of the day for the House in Committee on the Bill to revive and amend the Act incorporating the Wolfe Island, Kingston, and Toronto Railroad Company, being read;

The House accordingly resolved itself into the said Committee.

Mr. Malloch took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Malloch reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Bill relating
to Rivers and
Rivulets (U.C.).

An engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Acts for preventing obstructions in Rivers and Rivulets in Upper Canada," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Richards do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same without any Amendment.

Agricultural
Act (L.C.)
Amendment Bill.

The Order of the day for the second reading of the Bill to amend the Act for the encouragement of Agriculture in Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

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Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee.

Mr. Taché took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Taché reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Taché reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time to-morrow.

Orders
deferred.

Ordered, That the Orders of the day that remain undisposed of at the adjournment of the House, this day, be postponed until to-morrow.

Bill relating
to the Bar of
Lower Canada.

The Order of the day for the House in Committee on the Bill in amendment of an Act to incorporate the Bar of Lower Canada, and of a certain other Act therein mentioned, being read;

The House accordingly resolved itself into the said Committee.

The Honorable Mr. Macdonald took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Macdonald reported, That the Committee had gone through

the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time to-morrow.

Library Asso-
ciations and
Mechanics' In-
stitutes Bill.

An engrossed Bill to provide for the incorporation and better management of Library Associations and Mechanics' Institutes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Bell do carry the Bill to the Legislative Council, and desire their concurrence.

Then, on motion of Mr. Mackenzie, seconded by Mr. Prince,
The House adjourned.³³

FOOTNOTES: 28 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 29 August 1851, GLOBE, 30 August 1851, HAMILTON SPECTATOR, 3 September 1851, which copied from GLOBE, MONTREAL GAZETTE, 3 September 1851, PILOT, 4 September 1851, NORTH AMERICAN, 5 September 1851, which misdated its account as 27 August 1851, and BATHURST COURIER, 5 September 1851.
2. HAMILTON SPECTATOR, 3 September 1851.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. The following papers reported the debate on this matter in partially identical accounts: BRITISH COLONIST, 29 August 1851, GLOBE, 30 August 1851, HAMILTON SPECTATOR, 3 September 1851, which copied from GLOBE, MONTREAL GAZETTE, 3 September 1851, NORTH AMERICAN, 5 September 1851, which misdated its account as 27 August 1851, and BATHURST COURIER, 5 September 1851.
11. HAMILTON SPECTATOR, 3 September 1851.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. GLOBE, 30 August 1851.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. GLOBE, 30 August 1851, noted that the discussion on this bill continued until "half-past three, a.m." at which time the motion for the third reading was carried.
33. GLOBE, 30 August 1851, reported that "the House proceeded with unopposed business until five o'clock, a.m., when adjournment took place."

FRIDAY, 29 AUGUST 1851.

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Petitions
brought up.

THE following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Boulton,--The Petition of William Richmond and others, of the Counties of Norfolk and Middlesex.

By the Honorable Mr. Badgley,--The Petition of the Right Reverend the Lord Bishop of Quebec, and the Right Reverend the Lord Bishop of Montreal.

Petitions read.

Pursuant to the Order of the day, the following Petition was read:--

Of William Hill and others, of the County of York; praying that the Provincial Medical Board may be elected by the Medical men in their respective Townships,--that the teaching of Medicine be left open to competition,--and that the endowment of the Toronto University be reinvested in the Crown, and an annual appropriation made to the said University, and the residue of the disposable funds distributed for Educational purposes.

Ordered, That the Petition of William Richmond and others, of the Counties of Norfolk and Middlesex be now received and read; and the Rules of this House suspended as regards the same.

And the said Petition was received and read; praying that the Provincial Medical Board may be elected by the Medical men in their respective Townships,--that the teaching of Medicine be left open to competition,--and that the endowment of the Toronto University be reinvested in the Crown, and an annual appropriation made to the said University, and the residue of the disposable funds distributed for Educational purposes.

Ordered, That the Petition of the Right Reverend the Lord Bishop of Quebec, and the Right Reverend the Lord Bishop of Montreal, be now received and read; and the Rules of this House suspended as regards the same.

And the said Petition was received and read; praying that the Bill to repeal so much of the Imperial Act 31 Geo. 3 cap. 31 as relates to Rectories, and the presentation of Incumbents to the same, may not pass into Law.

Petitions
referred.

Resolved, That the Petition of George Sloane and others, of the County of Halton, be referred to a Select Committee, composed of Mr. Hopkins, Mr. Notman, the Honorable Mr. Merritt, Mr. Sanborn, and the Honorable Mr. Boulton, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Petition of William Halford and others, of the County of Simcoe, be referred to the said Committee.

On motion of the Honorable Mr. Badgley, seconded by the Honorable Mr. Chabot,
Criminal
Laws of the
Province.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to be pleased to issue a Commission for the consolidation and assimilation of the Criminal Laws of this Province; and that the Bill to amend and consolidate all Criminal Laws of this Province, and the Bill to establish a Code of Criminal Procedure, reported to this House by the Select Committee upon the said Bills, be referred to that Commission.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council

of this Province.

Writs of Execution (U.C.).

Mr. Wilson moved, seconded by Mr. Smith of Durham, and the Question being proposed, That leave be given to bring in a Bill to render the remedy by Writs of Execution in Upper Canada more effectual;

The Honorable Mr. Boulton moved in amendment to the Question, seconded by Mr. Sherwood of Brockville, That all the words after "That" to the end of the Question be left out, in order to add the words, "the Orders of the day be now called" instead thereof;

And a Debate arising thereupon;

And Mr. Speaker having acquainted the House, that Mr. Wilson had spoken to the Question for half an hour, the time to which each Member is restricted by the Order of the House of the 16th July last;

Mr. Cauchon moved, seconded by Mr. Lemieux, and the Question being put, That Mr. Wilson be further heard on the Question; the House divided: and the names being called for, they were taken down, as follow:--

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YEAS.

Messieurs Armstrong, Badgley, Cauchon, Chabot, Fortier, Lemieux, Macdonald of KINGSTON, Mackenzie, Notman, Richards, Ross, Sauvageau, Smith of DURHAM, and Wilson.--(14.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Chauveau, Christie, Fournier, Hincks, LaTerrière, McFarland, Mongenais, Morrison, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Taché.--(17.)

So it passed in the Negative.

And the Question being put on the Amendment to the main Question; the House divided:--And it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Orders of the day be now called.

Message from the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

Court of Queen's Bench Act Amendment Bill (L.C.).

The Legislative Council have passed the Bill, intituled, "An Act to amend the Act establishing the Court of Queen's Bench for Lower Canada," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

Action of Ejectment Bill.

And the Order of the day for the third reading of the engrossed Bill to alter and settle the mode of proceeding in the Action of Ejectment, being read;

The Honorable Mr. Sherwood moved, seconded by the Honorable Mr. Cameron of Cornwall, and the Question being proposed, That the Bill be now read the third time;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Richards, That the word "now" be left out, and the words "this day month" added at the end thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

The Bill was accordingly read the third time.

Ordered, That the following engrossed words be added to the last Clause of the Bill, by way of Rider, and do make part thereof: "and that this Act shall come in force from and after the first day of January next, and not before, and shall not apply to any suit or action commenced before that day."

The Honorable Mr. Sherwood moved, seconded by the Honorable Mr. Cameron of Cornwall, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton of TORONTO, Cameron of CORNWALL, Cauchon, Chabot, Christie, Solicitor General Drummond, Fortier, Fournier, Gugy, Hopkins, LaTerrière, Lemieux, Lyon, Sir Allan N. MacNab, McConnell, McFarland, Polette, Price, Prince, Robinson, Ross, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, Stevenson, and Viger.--(27.)

NAYS.

Messieurs Solicitor General Macdonald, Macdonald of KINGSTON, Mackenzie, and Richards.--(4.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Sherwood do carry the Bill to the Legislative Council, and desire their concurrence.

Message from the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Quebec Turnpike Roads Bill.

Bill, intituled, "An Act to authorize the Quebec Turnpike Road Trustees to effect a new Loan, and to extend the provisions of the Quebec Turnpike Road Ordinance to certain other Roads:"

The Province Railway Bill.

Bill, intituled, "An Act to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province:"

The Province Railway Loan Bill.

Bill, intituled, "An Act for raising by way of Loan, a sum not exceeding Four millions of pounds, currency, for making a main Trunk Line of Railway throughout the length of this Province:"

Debentures Bill.

Bill, intituled, "An Act for raising on the Credit of the Consolidated Revenue Fund, a certain Sum required for the Public Service:"

Normal School Bill (L.C.).

Bill, intituled, "An Act to provide for the establishment of a Normal School, and further to promote Education in Lower Canada:"

Bill relating to Summary Convictions.

Bill, intituled, "An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to summary convictions and orders:"

Bill relating to Indictable Offences.

Bill, intituled, "An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences:"

Bill relating
to the Prov-
incial Statutes.

Bill, intituled, "An Act to repeal part of the Act therein mentioned, relative to the printing and distribution of the Provincial Statutes:"

Bill to amend
the Law re-
specting Protests.

Bill, intituled, "An Act to amend the Law respecting the Protesting of Bills of Exchange and Promissory Notes:" And also,

Post Office
Act Amendment
Bill.

The Legislative Council have agreed to the Amendments made by this House to the Bill, intituled, "An Act to amend the Post Office Act," without any Amendment.
And then he withdrew.

Private Lunatic
Asylums Bill.

The Order of the day for the third reading of the engrossed Bill for the regulation of Private Lunatic Asylums, being read;

Ordered, That the Bill be now recommitted to a Committee of the whole House, for the purpose of filling up the blanks in the sixth and ninth Clauses.

The House accordingly resolved itself into the said Committee.

The Honorable Mr. LaTerrière took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. LaTerrière reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

The Honorable Mr. LaTerrière reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relative
to Municipal
Corporations
(U.C.) pur-
chasing Public
Works.

An engrossed Bill from the Legislative Council, intituled, "An Act to enable Municipal Corporations in Upper Canada to contract debts to the Crown in the purchase of Public Works without imposing a special rate or tax for the payment of the same," was, according to Order, read the third time.

The Honorable Mr. Hincks moved, seconded by the Honorable

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Mr. Price, and the Question being put; That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Boulton of NORFOLK, Boulton of TORONTO, Cameron of CORNWALL, Cauchon, Chabot, Christie, Dickson, Solicitor General Drummond, Gugy, Hincks, Hopkins, LaTerrière, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, McConnell, Meyers, Polette, Price, Prince, Richards, Robinson, Ross, Sanborn, Sherwood of BROCKVILLE, Smith of DURHAM, Stevenson, and Taché.--(29.)

NAYS.

Mr. Mackenzie.--(1.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, without any amendment.

Errors in Patents Bill.

An engrossed Bill to repeal a certain provision of the Act for the disposal of Public Lands, relative to the period within which indemnity may be granted for Errors in Patents, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Boulton do carry the Bill to the Legislative Council, and desire their concurrence.

Message from the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,

Bill relating to Securities to the Crown.

The Legislative Council have passed the Bill, intituled, "An Act to declare that Bonds and other personal Securities to the Crown shall constitute no incumbrance upon the Real Estate of parties thereto," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

Court of Queen's Bench Act Amendment Bill (L.C.).

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend the Act establishing the Court of Queen's Bench for Lower Canada," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 14. After "That" insert "the fifteenth section of the Act passed in the twelfth year of Her Majesty's Reign, chaptered thirty-seven, and intituled, 'An Act to establish a Court having jurisdiction in Appeals and Criminal matters in Lower Canada,' shall be, and the same is hereby repealed.

"And be it enacted, That."

Press 1, line 15. Leave out "hereafter."

Press 1, line 19. Leave out from "thereof" to "and" in line 38, and insert Clauses (A.) (B.) (C.) (D.) and (E.)

Clause (A.) "And be it enacted, That whenever any one Judge or more of the said Court shall be lawfully recused or disqualified or rendered incompetent, either by reason of interest or otherwise, to sit in the said Court in any cause cognizable thereby, or shall be suspended from Office or absent from the Province, the fact shall be recorded in the Register of the Court by the Clerk of Appeals, whenever he shall be thereunto required in writing by any of the parties, and it shall then be lawful for such number of the Judges of the Superior Court who would not be disqualified from sitting in such cause if they were Judges of the said Court of Queen's Bench, as may be necessary to complete the said last named Court, to act as Judges thereof, and to exercise the same powers and authority with regard to such cause, and to all Judicial acts and proceedings required therein, either before or after the determination thereof, as a Judge of the said last named Court not disqualified or rendered incompetent."

Clause (B.) "And be it enacted, That whenever any cause shall have been heard by three Judges only of the said Court of Queen's Bench and taken en délibéré by them, and two of the Judges shall be of opinion that any Judgment appealed from in such cause ought to be reversed or altered, the Court may discharge the délibéré, and order that the cause be reheard; and if at the time when such cause shall come up for re-hearings, the fourth Judge shall be lawfully recused or disqualified or

rendered incompetent, either by reason of interest or otherwise, to sit in such cause, or shall be absent, any Judge of the Superior Court may act as a Judge of the said Court of Queen's Bench in so far as regards such cause, and shall have the same powers and authority with respect to the same, and to all Judicial acts required therein, either before or after the determination thereof, as a Judge of the said last named Court not disqualified or rendered incompetent."

Clause (C.) "And be it enacted, That whenever, owing to the absence, disqualification, or incompetency of any of the Judges of the Court of Queen's Bench before whom any cause has been or shall be heard, or for any other reason, it becomes necessary to discharge the délibéré in such cause, such délibéré may be discharged by the remaining Judges, or by any of them, if only one Judge not disqualified or rendered incompetent be present when the discharge of délibéré is demanded or should be ordered."

Clause (D.) "And be it enacted, That the words 'Judge of the Superior Court' shall include the Chief Justice; and it shall be the duty of the Judges of the Superior Court to act as Judges of the Court of Queen's Bench under this Act, whenever need shall be; and whenever it shall happen that any of the Judges of the Superior Court are required so to act, the Clerk of Appeals shall, by order of one of the Judges of the Court of Queen's Bench, notify the Chief Justice (or in his absence from the Province the Senior Judge) of the Superior Court, who shall thereupon communicate with the other Judges of his Court, and arrange with them what Judge or Judges shall so act as a Judge or as Judges of the Court of Queen's Bench in the cause or causes to which the notice relates."

Clause (E.) "And be it enacted, That the return of any Judge of the Court of Queen's Bench who may have been absent, or the removal of any cause of disqualification or incompetence, shall not affect the powers of the Judge of the Superior Court acting in his stead, nor shall they be affected by the appointment of any Judge who would be competent in the cause; and if any Judge of the Superior Court acting under this Act as a Judge of the Court of Queen's Bench, should die, or become disqualified or incompetent, or be absent, the provisions of this Act shall in such case have the same effect to remedy the want of a sufficient number of Judges in the cause, as if he had been to all intents and purposes a Judge of such last named Court."

Press 1, line 40. After "instituted" insert Clause (F.)

Clause (F.) "And be it enacted, That on any appeal to Her Majesty in Her Privy Council from any Judgment heretofore rendered by the late Court of Appeals for Lower Canada, or from any Judgment heretofore rendered or that shall hereafter

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be rendered by the present Court of Queen's Bench, on the Appeal side thereof, it shall be the duty of the Clerk of Appeals to register an official exemplification of the Judgment of Her Majesty in Her Privy Council, immediately on the production of the same by any party interested therein, and without requiring a previous order of the Court, or of any Judge thereof, for such registration; and the said Clerk of Appeals shall also, with a copy of such exemplification, and without requiring any such previous order, remit the record of the cause to the Court below, unless the Judgment of Her Majesty in Her Privy Council require some further proceeding to be had in the said Court of Queen's Bench: Provided always, that nothing contained in this section shall extend to or affect any Judgment rendered by Her Majesty in Her Privy Council before the passing of this Act."

In the Preamble of the Bill:

Press 1, line 1. Leave out from "Whereas" to the end of the Preamble in line 8, and insert "it is expedient to remedy the delay and inconvenience arising from the appointment of Judges ad hoc in certain cases, and to provide a more speedy mode of registering Judgments on Appeals to Her Majesty in Her Privy Council."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Solicitor General Drummond do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Tavern Keepers,
&c., Licenses
Bill.

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 3, line 24. After "repute" insert "and", and leave out from "entertainment" to "and" where it occurs the second time in line 27.

In the Schedules annexed to the Bill:--

In Schedule (A.)

Press 15, line 10. Leave out from "Majesty" to "and" in line 13.

In Schedule (B.)

Press 15, line 34. Leave out from "law" to "if" in line 37.

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Solicitor General Drummond do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Registration
of Deeds Bill
(L.C.).

An engrossed Bill from the Legislative Council, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," was, according to Order, read the third time.

Resolved, That the Bill, with the Amendments, do pass.

Ordered, That Mr. Solicitor General Drummond do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, with several Amendments, to which they desire their concurrence.

Bill relating
to Commissions
for taking
Evidence.

The Order of the day for the third reading of the engrossed Bill to facilitate the issue of Commissions for the examination of Witnesses and the taking of evidence in Suits at Law pending and to be brought in the several Courts of Record in Upper Canada, being read;

Mr. Lyon moved, seconded by Mr. Sherwood of Brockville, and the Question being proposed, That the Bill be now read the third time;

Mr. Richards moved in amendment to the Question, seconded by Mr. Smith of Durham, That all the words after "now" to the end of the Question be left out, in order to add the words "recommitted to a Committee of the whole House, for the purpose of leaving out the first two Clauses, and amending the Preamble thereof;"

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

The Bill was accordingly read the third time.

Mr. Richards moved, seconded by Mr. Smith of Durham, and the Question being put, That the following engrossed Clause be added to the Bill by way of Rider, and do follow the fourth Clause: "And be it enacted, That when any action is or shall be brought in one section of the Province on any cause of action, and another action is or shall be brought in another section of the Province for the same

cause of action, it shall and may be lawful for the Court, or a Judge thereof in which the action is last brought, to stay proceedings in such action so last brought until the said first action shall be discontinued, and the costs therein paid;"

The House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Cameron of CORNWALL, Chabot, Solicitor General Drummond, Duchesnay, Fortier, Laurin, Lemieux, Solicitor General Macdonald, Mackenzie, Polette, Richards, Ross, Smith of DURHAM, and Wilson.--(14.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Cayley, Christie, Dickson, Fergusson, Fournier, Guy, Hopkins, LaTerrière, Lyon, Sir Allan N. MacNab, Malloch, McConnell, Morrison, Prince, Robinson, Sanborn, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, and Taché.--(24.)

So it passed in the Negative.

Resolved, That the Bill do pass.

Ordered, That Mr. Lyon do carry the Bill to the Legislative Council, and desire their concurrence.

Clerks of
Assize (U.C.)
Office Regula-
tion Bill.

An engrossed Bill to regulate the Office of Clerks of Assize in Upper Canada, was read the third time.

The Honorable Mr. Cameron of Cornwall moved, seconded by the Honorable Mr. Sherwood, That the three following engrossed Clauses be added to the Bill, by way of Rider, and do form part

thereof:--

"And whereas William Alexander Campbell has, for twenty-six years now last past, held the office of Marshal and Clerk of Assize for the County of York; Be it enacted, That from and after the passing of this Act, the said William Alexander Campbell shall continue to be the Marshal and Clerk of Assize for the County of York, and shall hold office during good behaviour, and be removeable by the Judges of the Superior Courts of Common Law, or a majority of them, and shall act as Marshal and Clerk of Assize at the Courts of Assize and Nisi Prius, and Oyer and Terminer and General Gaol Delivery for the said County of York; and shall receive as such Marshal and Clerk of Assize, the salary of Three hundred pounds per annum, which shall be charged upon the fund in this Act mentioned; and as

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Marshal and Clerk of Assize for the said County of York shall be subject to all the provisions relating to records, exhibits, and other documents in this Act mentioned; and in the event of the death or removal from his said office of the said William Alexander Campbell, the Clerk of the Crown and Pleas for the time being, or his Deputy, in the said County of York, shall act as such Marshal and Clerk of Assize for the said County of York, and have all the powers, and exercise all the functions that are had and exercised by the Clerks of Assize by law and under his Act.

"And be it enacted, That the Marshal and Clerk of Assize of the County of York shall take and receive the same fees only as are taken by the other Marshals and Clerks of Assize under this Act, and such fees shall be accounted for, paid over, and applied in the same manner as the other fees taken under the authority of this Act.

"And be it enacted, That the several Clerks of Assize appointed under this Act, shall issue the Precepts to the several Sheriffs of Counties in the same manner and with the same effect as such Precepts are now issued by law, by any Marshal or

Clerk of Assize;"

The Honorable Mr. Hincks, a Member of the Executive Council, by command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject matter of the said Clauses, recommends it to the consideration of the House.

Then the Clauses were brought up, and read the first time.

The Honorable Mr. Cameron of Cornwall moved, seconded by the Honorable Mr. Sherwood, and the Question being put, That the said Clauses be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fournier, Gugy, Hincks, LaTerrière, Lemieux, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, McConnell, Polette, Price, Prince, Robinson, Ross, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of WENTWORTH, Stevenson, and Taché.
--(29.)

NAYS.

Messieurs Bell, Hopkins, Mackenzie, McFarland, Merritt, and Notman.--(6.)
So it was resolved in the Affirmative.

Then the Clauses were read a second and third time, and agreed to.

The Honorable Mr. Cameron of Cornwall moved, seconded by the Honorable Mr. Sherwood, and the Question being put, That the following engrossed Clause be added to the Bill, by way of Rider, and do make part thereof:

"And be it enacted, That this Act shall not come into force until the first day of January next;"

The House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Cayley, Chauveau, Christie, Dickson, Duchesnay, Fergusson, Fournier, Hincks, LaTerrière, Laurin, Lemieux, Letellier, Macdonald of KINGSTON, Sir Allan N. MacNab, Malloch, Prince, Robinson, Ross, Sanborn, Sauvageau, Sherwood of TORONTO, Smith of WENTWORTH, Stevenson, and Taché.--(28.)

NAYS.

Messieurs Hopkins, Lyon, Mackenzie, McFarland, Notman, Richards, and Smith of DURHAM.--(7.)

So it was resolved in the Affirmative.

Resolved, That the Bill do pass, and the Title be, "An Act to authorize and require the several Deputy Clerks of the Crown to perform the duties of Clerks of Assize in their respective Counties in Upper Canada, except as therein mentioned."

Ordered, That Mr. Smith of Durham do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to the construction of Railways.

An engrossed Bill to repeal so much of the Act 13 & 14 Vic. cap. 72, as relates to the construction of Railways, was, according to Order, read the third time.

The Honorable Mr. Hincks moved, seconded by Mr. Morrison, and the Question being put, That the following engrossed Proviso be added to the Bill, by way of Rider, and do make part thereof; "Provided also, that nothing contained in this Act, or in any Acts passed during the present

Session, shall be construed to prevent the said Brantford and Buffalo Joint Stock Railway Company, or any other Company organized under the provisions of the Act hereby repealed, from proceeding to carry on its operations, or from exercising or enjoying or continuing to exercise or enjoy all or any of the rights, powers and privileges which such Company or Companies might have exercised or enjoyed if the said Act had not been repealed;" the House divided:--And it was resolved in the Affirmative.

Resolved, That the Bill do pass, and the Title be, "An Act to repeal so much of the Act thirteenth and fourteenth Victoria, chapter seventy-two, as relates to the construction of Railways."

Ordered, That Sir Allan N. MacNab do carry the Bill to the Legislative Council, and desire their concurrence.

Expiring Laws continuation Bill. An engrossed Bill to continue for a limited time the several Acts and Ordinances therein mentioned, and for other purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Agriculture Act (L.C.) Amendment Bill. An engrossed Bill to amend the Act for the encouragement of Agriculture in Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Fournier do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to the Bar of Lower Canada. An engrossed Bill in amendment of an Act to incorporate the Bar of Lower Canada, and of a certain other Act therein mentioned, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Christie do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to Securities to the Crown. Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to declare that Bonds and other personal Securities to the Crown shall constitute no incumbrance upon the Real Estates of parties thereto," be now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration; and the same were read, as follow:--

Press 1, line 19. Leave out from "same" to "that" in line 29.

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Press 1, line 30. Leave out "who."

Press 1, line 36. After "responsibility" insert "on the part of such person as such surety."

Press 1, line 37. Leave out from "of" to the end of the Bill, and insert "one month from the receipt of the last of such notices; and the principal shall within that period give the security of another surety, and register and deposit the bond of such new surety, or in default of so doing shall forfeit and be deprived of the appointment, office, employment or commission in respect whereof such new

security ought to have been given, in like manner and under and subject to like provisions as are set forth and contained in the Act passed in the Session held in the fourth and fifth years of Her Majesty's Reign, chaptered ninety-one, and intituled, "An Act to regulate the taking of Securities in all Offices in respect of which security ought to be given, and for avoiding the grant of all such offices in the event of such security not being given within the time limited after the grant of such office."

In the Preamble of the Bill:

Press 1, line 1. Leave out from "is" to the end of the Preamble, and insert "expedient to provide for the discharge of Sureties for Public Officers, when no longer disposed to continue to incur responsibility as such."

In the Title of the Bill:

Leave out from "to" to the end of the Title, and insert "provide for the discharge of Sureties for Public Officers in certain cases."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Mr. Boulton do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendments.

Physic and
Surgery Law
Amendment
Bill (L.C.).

The Honorable Mr. LaTerrière moved, seconded by Mr. Sanborn, and the Question being put, That the Order of the day for the House in Committee on the Bill further to amend the Law relative to the practice of Physic, Surgery, and Midwifery in Lower Canada, be now read; the House divided:--And it was resolved in the Affirmative.

And the Order being read;

The House accordingly resolved itself into the said Committee.

Mr. Chauveau took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Chauveau reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Chauveau reported the Bill accordingly; and the amendment was read.

The Honorable Mr. LaTerrière moved, seconded by Mr. Duchesnay, and the Question being put, That the said amendment be now read a second time; the House divided:--And it was resolved in the Affirmative.

Then the Amendment, being read a second time, was agreed to.

The Honorable Mr. LaTerrière moved, seconded by Mr. Fortier, and the Question being proposed, That the Bill, with the amendment, be engrossed, and read the third time this day;

The Honorable Mr. Robinson moved in amendment to the Question, seconded by the Honorable Mr. Boulton, that the words "three months" be added at the end thereof;

And the Question being put, That those words be there added; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Christie, Hopkins, Mackenzie, Malloch, Notman, Richards, Robinson, Sherwood of TORONTO, and Smith of DURHAM.--(10.)

NAYS.

Messieurs Bouthillier, Cameron of CORNWALL, Chabot, Chauveau, Dickson, Solicitor General Drummond, Duchesnay, Fortier, Fournier, LaTerrière, Lemieux, Letellier, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, McConnell, Meyers, Prince, Sawageau, Stevenson, Taché, and Viger.--(22.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

Second Report
of Committee
on Public
Accounts.

Mr. Christie, from the Select Committee to which were referred the Public Accounts of the year 1850, with power to report from time to time, presented to the House the Second Report of the said Committee; which was read.

Appendix (M.M.M.)

For the said Report, see Appendix (M.M.M.)

Third Report of
Committee on
Seigniorial
Tenure.

Mr. Solicitor General Drummond, from the Select Committee to which were referred the Resolutions adopted by this House on the 26th June, 1850, relating to the Seigniorial Tenure in Lower Canada, and other references, with an Instruction to the said Committee, and with power to report from time to time, by Bill or otherwise, presented to the House the Third Report of the said Committee; which was read.

Appendix (N.N.N.)

For the said Report, see Appendix (N.N.N.)

Ordered, That One thousand copies in French, and Five hundred copies in English, of the said Report and the accompanying documents be printed, in pamphlet form, for the use of the Members of this House.

On motion of Mr. Solicitor General Drummond, seconded by Mr. Chauveau,

Seigniorial
Tenure.

1. Resolved, That amongst the various rights guaranteed to the people of Lower Canada by the justice and liberty of the Crown of England at the time of the Cession of the Country, one of the most valuable was the common privilege of obtaining Land for settlement without making any disbursement of money, and solely on the condition of paying to the Seignior a very small annual rent.

2. Resolved, That certain provisions contained in the Imperial Statutes (3 Geo. 4, cap. 119, sec. 31 and 32, and 6 Geo. 4, cap. 59) commonly known as the Canada Trade Act, and the Canada Tenures Act, have materially curtailed that important privilege, by enabling the holders of lands en fief, upon the payment of a certain indemnity to the Crown, not only to commute all dues and duties claimable by Her Majesty as the Seignior dominant, but also to free themselves from the obligation of conceding their waste lands to the inhabitants of the Country upon moderate rents.

3. Resolved, That the facilities given under the said Act, if taken advantage of by all the holders of land en fief, would entail a serious injury upon the inhabitants of Lower Canada, by enabling the former to change the trust-like character of their holding into that of absolute proprietorship, without conferring any corresponding advantage upon the latter, and would seriously impede the settlement of the Country.

4. Resolved, That not only for the purpose of developing the agricultural resources of the Country, but also with the view of enabling the local Legislature to deal more freely and efficiently with the important question relating to the

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commutation of the Seigniorial Tenure, which now engages the anxious attention of the People and Parliament of Canada, and is, in the opinion of this House, due to the inhabitants of Lower Canada to carry out the wise suggestions made by the Commissioners, who were appointed in the year 1834, for the investigation of grievances affecting that section of the Country, in relation to the said Acts.

5. Resolved, That an humble Address be therefore presented to Her Majesty, praying that Her Majesty will be graciously pleased to recommend to the Imperial Parliament, the propriety of repealing such part of the said Trade and Tenures Acts as have relation to the commutation of Lands held à titre de fief in Lower Canada,

subject to the condition that all rights, titles, and advantages acquired under either of the said Acts be held valid.

Resolved, That the said Resolutions be referred to a Select Committee, composed of Mr. Solicitor General Drummond, the Honorable Mr. Cameron of Cornwall, the Honorable Mr. Chabot, Mr. Bouthillier, and Mr. Lemieux, to prepare and report the draught of an humble Address to Her Majesty, founded upon the said Resolutions.

Indians (U.C.)
Creditors
Relief Bill.

Mr. Mackenzie moved, seconded by Mr. Notman, and the Question being put, That the Order of the day for the second reading of the Bill for the relief of the Creditors of Indians in Upper Canada, be now read; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Bouthillier, Cameron of CORNWALL, Chauveau, Christie, Hopkins, Laurin, Lyon, Macdonald of KINGSTON, Mackenzie, Malloch, Morrison, Robinson, Sanborn, Smith of DURHAM, and Taché.--(16.)

NAYS.

Messieurs Armstrong, Boulton of TORONTO, Chabot, Solicitor General Drummond, Fortier, Fournier, Hincks, LaTerrière, Solicitor General Macdonald, Sir Allan N. MacNab, McConnell, Meyers, Prince, Ross, Sauvageau, Sherwood of BROCKVILLE, Sherwood of TORONTO, Stevenson, and Wilson.--(19.)

So it passed in the Negative.

Medical Pro-
fession (L.C.)
Bill.

An engrossed Bill to amend the "Act incorporating the Members of the Medical Profession in Lower Canada, and to regulate the study and practice of Physic and Surgery therein," to afford relief to certain persons who were in practice as Physicians and Surgeons in this Province at the time when the said Act became Law, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Sanborn do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating
to the guarding
of the Montreal
Gaol.

An engrossed Bill to provide means to recover from the Corporation of the City of Montreal, part of the expense incurred in guarding the Common Gaol at that place, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Wolfe Island,
Kingston and
Toronto Rail-
road Bill.

An engrossed Bill to revive and amend the Act incorporating the Wolfe Island, Kingston, and Toronto Railroad Company, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Wolfe Island Railway and Canal Company."

Ordered, That the Honorable Mr. Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

Hunting and
Game Bill.

Mr. Solicitor General Drummond reported the Bill for the regulation of Hunting and the preservation of Game; and the

amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time this day.

Hunting and
Game Bill.

An engrossed Bill for the regulation of Hunting and the preservation of Game, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Taché do carry the Bill to the Legislative Council, and desire their concurrence.

Municipal Laws
(L.C.) Amend-
ment Bill.

The Order of the day for the House in Committee on the Bill to amend the Municipal Laws of Lower Canada, being read;

The House accordingly resolved itself into the said Committee.

Mr. Dickson took the Chair of the Committee; and after some time spent therein, Mr. Speaker resumed the Chair;

And Mr. Dickson reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Dickson reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill, with the amendments, be engrossed, and read the third time this day.

Bill relating
to Jurors (U.C.).

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to extend the time for making the selection of Jurors and

preparing the Jurors Books in Upper Canada in the present year," being read;

The Bill was accordingly read a second time.

Ordered, That the Bill be now read the third time; and the Rules of this House suspended as regards the same.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, without any Amendment.

Bill to restore
rights to cer-
tain persons.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to define and restore certain rights to parties therein mentioned," being read;

The Honorable Mr. Hincks moved, seconded by Mr. Taché, and the Question being proposed, That the Bill be now read a second time;¹

The motion for the second reading of the Bill to define and restore certain rights,--the Sectarian School Bill,--called forth a variety of remarks.²

MR. INSP. GEN. HINCKS supported the bill, as being absolutely necessary for the protection of one section of the population ... there should be a power given to them to have these separate schools. In consequence of the conduct of bigots, it was impossible to have a mixed education, and because of the vagueness of one of the clauses of the law, it was found necessary to introduce this bill. The prin-

ciple was embodied in the School Bill when introduced in 1849, and all the agitation that has been got up about Sectarian Schools has been caused by one individual,--the editor of a certain paper in the city. He (Mr. H.) considered that the only way to put an end to these Sectarian Schools was to give the people the power to establish them.³

MR. WILSON and MR. MERRITT replied at some length in opposition to the bill⁴.

MR. MACKENZIE occupied his half hour in opposition to it amidst the groans and uproar of several Lower Canada members--amongst whom the most prominent was the member for Montmorencie, MR. CAUCHON⁵.

MR. MORRISON also spoke against the bill⁶.

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Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Wilson, that the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Mackenzie, Merritt, Morrison, and Wilson.--(4.)

NAYS.

Messieurs Baldwin, Bell, Boulton of TORONTO, Cauchon, Chabot, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Hincks, LaTer-

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rière, Laurin, Lemieux, Letellier, Macdonald of KINGSTON, Price, Richards, Sauva-geau, Sherwood of TORONTO, Stevenson, and Taché.--(24.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

The Bill was accordingly read a second time.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Drummond, and the Question being proposed, That the Bill be now read the third time, and the Rules of this House suspended as regards the same;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Smith of Durham, That all the words after "That" to the end of the Question be left out, in order to add the words "all the words after 'Whereas' in the first line of the Preamble of the Bill be left out, and the words 'the establishment of Sectarian or separate Public Schools, upheld by periodical grants of money from the Provincial Treasury, and placed under the control of the Executive Government through its Superintendents of Education and other Civil Officers, is a dangerous interference with the Common School system of Upper Canada, and if allowed to Protestants and Roman Catholics cannot reasonably be refused to Episcopalians, Presbyterians, Quakers, Tunkers, Baptists, Independents, and other religious denominations; and whereas if it is just that any number of religious sects should have separate Public Schools, it is not less reasonable that they should also have separate Grammar Schools, Colleges, and Professorships in the Universities; and whereas it is unjust in the State, to tax Protestants in order to provide for the instruction of children in Roman Catholic doctrines, or to tax Roman Catholics for religious education of youth in principles adverse to those of the Church of Rome, and the early separation of children at school on account of the creeds of their parents or guardians, would rear nurseries of strife and dissension, and cause thousands to grow up in comparative ignorance, who might, under our Common School system, obtain the advantages of a moral, intellectual, literary and scientific education; and whereas

the repeal of the nineteenth Section of the Upper Canada Common School Act, passed in 1850, would discourage Sectarian Education, and be productive of peace, harmony and good will in neighbourhoods: Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, 'An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,' That the nineteenth Section of an Act passed by the Parliament of this Province, in the Session thereof held in the 13th and 14th years of Her Majesty's Reign, and intituled, 'An Act for the better establishment and maintenance of Common Schools in Upper Canada, be, and the same is hereby repealed,'" added instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Hopkins, Mackenzie, McFarland, Merritt, and Smith of DURHAM.--(5.)

NAYS.

Messieurs Bell, Boulton of TORONTO, Bouthillier, Cauchon, Chabot, Chauveau, Christie, Dickson, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Hincks, LaTerrière, Laurin, Lemieux, Letellier, Macdonald of KINGSTON, McConnell, Meyers, Prince, Sauvageau, Sherwood of TORONTO, Stevenson, Taché, and Wilson.--(26.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

The Bill was accordingly read the third time.

The Honorable Mr. Hincks moved, seconded by Mr. Solicitor General Drummond, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Baldwin, Bell, Boulton of TORONTO, Bouthillier, Cauchon, Chabot, Chauveau, Christie, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Hincks, LaTerrière, Laurin, Lemieux, Letellier, Macdonald of KINGSTON, McConnell, Meyers, Prince, Sauvageau, Sherwood of TORONTO, Stevenson, and Taché.--(25.)

NAYS.

Messieurs Hopkins, Mackenzie, McFarland, Merritt, Morrison, Smith of DURHAM, and Wilson.--(7.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, without any Amendment.

Bill relating to
the Province
Railway Bill.

The Order of the day for the second reading of the engrossed Bill from the Legislative Council, intituled, "An Act to extend the provisions of an Act passed in the present Session, intituled, 'An Act to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province,'" being read;

The Honorable Mr. Hincks moved, seconded by Mr. Richards, and the Question being put, That the Bill be now read a second time;

MR. INSP. GEN. HINCKS moved the second reading of the bill to extend provisions of the Main Trunk Railroad Bill (from the Legislative Council). He explained that the object of the bill was to extend the Provincial guarantee for the construction of a railway from Hamilton to Queenston.⁸

MR. MACKENZIE objected to the bill, on the ground that the Act had been repealed, to grant the Provincial guarantee to railroads for the purpose of concentrating the resources of the Province on the Main Trunk Line. A short line from Hamilton to Queenston formed no part of that.⁹

Some further remarks [followed].¹⁰

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the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read a second time.

Ordered, That the Bill be now read the third time, and the Rules of this House suspended as regards the same.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, without any Amendment.

Physic and
Surgery Law
Amendment Bill
(L.C.).

The Order of the day for the third reading of the engrossed Bill further to amend the Law relative to the practice of Physic, Surgery, and Midwifery, in Lower Canada, being read;

The Honorable Mr. LaTerrière moved, seconded by Mr. Fortier, and the Question being proposed, That the Bill be now read

the third time;

The Honorable Mr. Robinson moved in amendment to the Question, seconded by Mr. Wilson, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for;

And Notice being taken, while the names were being recorded, that Mr. McFarland, whose name had been noted with the Yeas, was not in the House, Mr. Speaker said he thought his Vote ought to be erased,--which was done by the Clerk; but before the division was read, Mr. McFarland entered, and stated that he was present when the Vote was taken, and had only been out at the door; whereupon Mr. Speaker said that, in that case, he thought the Vote ought to be recorded, which was done accordingly.

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And Mr. McFarland having further stated, that his name appears recorded with the Yeas, while he actually intended to vote with the Nays, he was allowed by Mr. Speaker to change his Vote; but objections being made thereto, and also an appeal to the House from Mr. Speaker's decision;

The House divided:

Yeas, 29.

Nays, 11.

So the decision of Mr. Speaker was confirmed.

Whereupon Mr. Speaker declared the numbers; and the names as taken down are as follow:--

YEAS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Christie, Hopkins, Lygon, Mackenzie, Malloch, Merritt, Meyers, Morrison, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Wilson.--(19.)

NAYS.

Messieurs Armstrong, Bouthillier, Cameron of CORNWALL, Chabot, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Hincks, LaTerrière, Laurin, Macdonald of KINGSTON, McConnell, McFarland, Prince, Ross, Sanborn, Sauvageau, and Taché.-- (19.)

And the Votes being equally divided; Mr. Speaker gave his casting Vote in the Negative.

Then the main Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Armstrong, Baldwin, Bouthillier, Cameron of CORNWALL, Chabot, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Hincks, LaTerrière, Laurin, Letellier, Macdonald of KINGSTON, McConnell, McFarland, Prince, Ross, Sanborn, Sauvageau, and Taché.-- (21.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Christie, Dickson, Hopkins, Lyon, Mackenzie, Malloch, Merritt, Meyers, Morrison, Price, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Wilson.-- (21.)

And the Votes being equally divided; Mr. Speaker gave his casting Vote in the Affirmative.

The Bill was then read the third time.

The Honorable Mr. LaTerrière moved, seconded by Mr. Bouthillier, and the Question being put, That the Bill do pass;¹¹

The Bill was variously resisted.¹²

The discussion was of the most irregular kind, and consisted, for the most part of personal sallies, which were occasionally cheered and laughed at by the crowd in the gallery.¹³

DR. FORTIER frequently interrupted Mr. Mackenzie, telling him that he did not understand anything about what he was talking. He knew nothing at all about the measure.¹⁴

MR. MACKENZIE condemned all kinds of monopolies--of priests, doctors, and lawyers.¹⁵

DR. FORTIER said, "shame, shame."¹⁶

MR. H. SHERWOOD recommended the two to go and settle their differences in a Committee room, and let the business of the House be proceeded with.¹⁷

[Some] further discussion took place on the question¹⁸.

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the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Armstrong, Baldwin, Bouthillier, Cameron of CORNWALL, Chabot, Chauveau, Solicitor General Drummond, Duchesnay, Fortier, Fournier, Hincks, LaTerrière, Laurin, Lemieux, Letellier, Macdonald of KINGSTON, McConnell, McFarland, Prince, Ross, Sanborn, Sauvageau, and Taché.-- (23.)

NAYS.

Messieurs Bell, Boulton of NORFOLK, Boulton of TORONTO, Christie, Dickson, Hopkins, Mackenzie, Malloch, Merritt, Meyers, Richards, Robinson, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, Smith of FRONTENAC, Smith of WENTWORTH, Stevenson, and Wilson.--(19.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. LaTerrière do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating The Order of the day for the House in Committee on the Bill
to Rectories. to repeal so much of the Imperial Act 31 Geo. 3 cap. 31, as
relates to Rectories, and the presentation of Incumbents to
the same, being read;

The House accordingly resolved itself into the said Committee.

Mr. Sauvageau took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Sauvageau reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time this day.

Sixth Report Mr. Stevenson, from the Standing Committee on Printing,
of Committee presented to the House the Sixth Report of the said Committee;
on Printing. which was read, as followeth:--

Your Committee make this Report in obedience to the following Order of reference, viz: That all documents presented to Your Honorable House whether in accordance with Addresses or otherwise, be referred to Your Committee, in order that they may report, from time to time, whether it is expedient that such documents should be printed in the Appendix to the Journals, and that such Reports do contain an estimate of the cost of printing each document.

In a former Report, Your Committee expressed their unwillingness to give an opinion as to the expediency of suppressing from the Appendix to the Journals any document laid before Your Honorable House, either as Returns to Addresses, or under the requirements of Acts of Incorporation; therefore, in adhering to that opinion, they necessarily confine themselves to that part of the above Order of reference which directs them to report upon those documents touching the expense of their printing.

Your Committee would also state, that they are of opinion no document specially ordered to be printed by Your Honorable House, could come under their direction, inasmuch as that Order must supersede any action or recommendation emanating from Your Committee, unless with reference to such documents as have been referred to Your Committee to be printed under their particular supervision.

With these views, Your Committee have examined the contents of such Returns, Reports, &c., as have not been specially ordered to be printed, They are composed of the following letters of Appendix:--

(J.) Statements of the Affairs of the various Agricultural Societies.

These documents being altogether in figure work, should undergo, as in former years, an abstracting; after which, the cost of printing will probably not exceed Forty-four pounds.

Your Committee can recommend no alteration in the form of printing the following:--

(K.) Statements of Mechanics' Institutes; estimated cost, Three pounds ten shillings.

(P.) Return on subject of Trinity House and Lower Town Market, Quebec; estimated cost, Five pounds ten shillings.

(S.) Reports of Charitable Institutions; estimated cost, Four pounds ten shillings.

(Y.) Communications relative to Jesuits' Estates; estimated cost, Four pounds.

(A.A.) Information relative to claims of parties for damages by Public Works; estimated cost, Eight pounds ten shillings.

(B.B.B.) Relating to extending the word "City" for purposes of Police; and copies of Commissions of Messieurs Ermatinger and McCord; estimated cost, One pound fifteen shillings.

(H.H.H.) Account of money collected for Crown Timber in the County of Peterborough, in 1849, 1850, and 1851; estimated cost, Four pounds ten shillings.

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(G.G.) Is a Return to an Address for the names, dates of appointments, salaries of officers employed on the Ottawa River and tributaries in the collection of Timber Duties, &c. Your Committee recommend that especial care be taken in the copying of this document for the Printer, that the form may be entirely altered, so that the columns of figures may be reduced to one, and the months in the second column to follow with their amounts, making but one line for each person's name. This document being very voluminous, and all of the most expensive character of printing, called "Rule and Figure," it is the more necessary that this recommendation be strictly adhered to. When printed in this condensed form, it is estimated to cost Ninety pounds.

Your Committee find that the proceedings of the Railway Committee have been printed in pamphlet form, under its order, to which is appended many Tables and Returns. The matter composing these Tables being of an extensive description, Your Committee have given instructions that it should be kept in form, so that when that Committee shall report, they may be, without new composition, printed for the use of the House. They therefore recommend that the Report and Evidence referred to, be printed for the House by the Printer who has printed the same for the Committee.

Your Committee conclude their labors for the Session with this Report; and, in doing so, beg to assure Your Honorable House that while, from time to time, acting under Orders of reference and Instruction, they have already seen, as the result of their labors, a system begun, with, if carried on during succeeding Sessions, will produce in this branch of expenditure, a great and important saving of the funds of the Province.

Resolved, That this House doth concur in the Fifth and Sixth Reports of the Standing Committee on Printing.

Documents relating to the Seigniorial Tenure.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying he will be pleased to direct that copies of all Octrois, Deeds of Concession, or Grants made and to be found in the Archives or Public Records of the Province, of the various Fiefs and Seigniories in La Nouvelle France, or Canada, from the earliest settlement thereof to the Cession of the same in 1763, by the Crown of France to Great Britain, and also of those made since that period, be translated into English, printed, and distributed in both languages, with all convenient despatch among the different Members of the Legislature, and to the several Municipalities throughout the Province, for the public information, together with all such legal opinions, official and public documents relating to the Seigniorial or Feodal Tenure, or to the commutation or abolition thereof, of which the Executive Government may be possessed, and which His Excellency may deem to be necessary to the proper understanding of the relative rights of Seigniors and Censitaires; and assuring His Excellency that this House will make good any expense that may be incurred in consequence of his compliance with the present Address.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of the Honorable Mr. Cameron of Cornwall, seconded by Mr. Boulton of Toronto,

Medical Profession Bill
(U.C.).

Ordered, That the Order of the day for the House in Committee on the Bill to incorporate the Medical Profession in Upper Canada, be now read.

And the said Order being read;
The House accordingly resolved itself into the said Committee.
Mr. Cauchon took the Chair of the Committee;¹⁹

A conversational discussion took place to the same effect as that ... reported on the second meeting.²⁰

It was strongly urged by some members that it was exceedingly unjust to English doctors to compel them to pass an examination before a Lower Canadian board, before allowing them to practice.²¹

On the other hand, the converse was maintained; and this was the principal point of the irregular debate.²²

MR. MACKENZIE, ... spoke for a long time²³.

COL. PRINCE [rose and said he] had made the calculation, and found that the member for Haldimand had cost the country more than £1000 with useless and absurd speeches. He further said that the member for Haldimand was a man unfitted to sit in a deliberative assembly, by what misfortune he did not know.²⁴

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And a Message being announced from the Legislative Council,
Mr. Speaker resumed the Chair.

Message from the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Chancery Decrees and Orders Bill
(U.C.).

Bill, intituled, "An Act to confirm Decrees and Orders, and other proceedings of the Court of Chancery of Upper Canada, in certain cases:"

Bill to set apart Lands for Indians (L.C.).

Bill, intituled, "An Act to authorize the setting apart of Lands for the use of certain Indian Tribes in Lower Canada:"

Justices of the Peace (U.C.)
Fees Bill.

Bill, intituled, "An Act to establish an uniform rate of Fees to be received by Justices of the Peace in Upper Canada, and to repeal the Act of Upper Canada passed in the fourth year of the Reign of King William the Fourth, chapter

seventeen:"

Library Associations and Mechanics' Institutes.

Bill, intituled, "An Act to provide for the incorporation and better management of Library Associations and Mechanics' Institutes:"

Action of Ejectment Bill.

Bill, intituled, "An Act to alter and settle the mode of proceeding in the Action of Ejectment:"

Private Lunatic Asylums Bill.

Bill, intituled, "An Act for the regulation of Private Lunatic Asylums:" And also,

Registration of Deeds Bill (L.C.). The Legislative Council have agreed to the Amendments made by this House to the Bill, intituled, "An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada," without any Amendment.
And then he withdrew.²⁵

Before the Speaker could leave the chair²⁶--

MR. MACKENZIE availed himself of the opportunity (shortly before eleven) to move an adjournment²⁷. [He] said, he was perfectly prepared to take the responsibility of obstructing the passing of the measure, [the Bill to incorporate the Medical Profession in Upper Canada].²⁸

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Adjournment. Mr. Mackenzie moved, seconded by Mr. Smith of Durham, and the Question being put, That this House do now adjourn; the House divided: and names being called for, they were taken down, as follow:--

YEAS.

Messieurs Mackenzie, Morrison, and Smith of DURHAM.--(3.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Chauveau, Christie, Dickson, Duchesnay, Fortier, Hopkins, LaTerrière, Macdonald of KINGSTON, Malloch, McFarland, Meyers, Polette, Price, Prince, Robinson, Ross, Sanborn, Sherwood of TORONTO, Smith of FRONTENAC, Stevenson, Taché, and Wilson.--(28.)

So it passed in the Negative.

Mr. Smith of Durham moved, seconded by Mr. Mackenzie, and the Question being put, That this House do now adjourn;

Discussion followed on the motion.²⁹

MR. J. SMITH of Durham ... took that course because his constituents were opposed to the bill.³⁰

MR. MACKENZIE in seconding the motion, declared his determination to avail himself of every Parliamentary usage to obstruct this measure, and also the measure of the hon. member for London in relation to Rectories.³¹ He had great pleasure in obstructing ... such a measure, and spoke for this purpose.³²

MR. W. BOULTON condemned the hon. member for the course he announced.³³

MR. COM. CR. LANDS PRICE protested against this course, as placing the majority at the mercy of an insignificant minority.³⁴

MR. J. SMITH of Durham sent for a quire of paper and said he would keep at it until morning.³⁵

MR. J. CAMERON asked the opponents of the bill to allow it to pass Committee, and to debate it to-morrow.³⁶

MR. RICHARDS said there was nothing unprecedented in the course proposed. Last session, the hon. member for Niagara moved adjournment after adjournment against the division of Counties bill, until the Inspector General withdrew it. The hon. member for Cornwall should take the hint; he could not carry this bill, and might as well withdraw it at once.³⁷

MR. J. CAMERON said he would not withdraw it. He could sit as long as other members.³⁸

MR. SOL. GEN. DRUMMOND was favourable to the Bill, but saw no chance of carrying

it this session.³⁹

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Mackenzie, Richards, and Smith of DURHAM.--(3.)

NAYS.

Messieurs Bell, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Dickson, Duchesnay, Fortier, LaTerrière, Laurin, Macdonald of KINGSTON, McConnell, Price, Prince, Robinson, Sherwood of TORONTO, Smith of FRONTENAC, Taché, and Wilson.--(18.)
So it passed in the Negative.

MR. MACKENZIE rose again to move the same question, and intimated his intention⁴⁰ of continuing to do so⁴¹ from time to time, until the Bill were abandoned or the House rose.⁴²

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Mr. Mackenzie moved, seconded by Mr. Smith of Durham, and the Question being put, That this House do now adjourn; the House divided: and the names being called

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for, they were taken down, as follow:--

YEAS.

Messieurs Mackenzie, and Smith of DURHAM.--(2.)

NAYS.

Messieurs Bell, Boulton of TORONTO, Bouthillier, Cameron of CORNWALL, Dickson, Solicitor General Drummond, Duchesnay, Fortier, LaTerrière, Laurin, Macdonald of KINGSTON, McConnell, Meyers, Morrison, Price, Sherwood of TORONTO, Stevenson, Taché, and Wilson.--(19.)

So it passed in the Negative.⁴³

Medical Profession Bill
(U.C.).

The House then again resolved itself into Committee on the Bill to incorporate the Medical Profession in Upper Canada.

Mr. Duchesnay took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Duchesnay reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

And the Question being put, That the Report be now received; the House divided: --And it was resolved in the Affirmative.

Mr. Duchesnay reported the Bill accordingly.

The Honorable Mr. Cameron of Cornwall moved, seconded by the Honorable Mr. Macdonald, and the Question being proposed, That the Bill be engrossed, and read the third time this day;

Mr. Smith of Durham moved in amendment to the Question, seconded by Mr. Richards, That the words "this day" be left out, and the word "to-morrow" inserted instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put; the House divided:--And it was resolved in the Affirmative.

On motion of Mr. Meyers, seconded by Mr. Smith of Frontenac,

Bill relating
to Chartered
Road Companies.

Ordered, That the Order of the day for the House in Committee on the Bill to provide against Chartered Road Companies allowing their Roads to remain in disrepair, and for other purposes therein mentioned, be now read.

And the said Order being read;

The House accordingly resolved itself into the said Committee;

Mr. Dickson took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Dickson reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be engrossed, and read the third time this day.

Game Act
Amendment
Bill (L.C.).

The Order of the day for the House in Committee on the Bill to amend the Acts for the protection of Game and Wild Fowl therein mentioned, as regards Lower Canada, being read;
The House accordingly resolved itself into the said Com-

mittee.

Mr. McConnell took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair.

Municipal Law
(L.C.) Amend-
ment Bill.

An engrossed Bill to amend the Municipal Laws of Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act further to amend the Municipal Laws of Lower Canada."

Ordered, That Mr. Solicitor General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

Seigniorial
Tenure Bill.

Mr. Solicitor General Drummond reported from the Select Committee appointed to prepare and report the draught of an humble Address to Her Majesty, on the subject of the Seigniorial

Tenure in Lower Canada, That they had drawn up an Address accordingly; and the same was read, as followeth:--

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal Subjects, the Commons of Canada, in Provincial Parliament assembled, humbly approach Your Majesty for the purpose of representing:

That amongst the various rights guaranteed to the People of Lower Canada by the justice and liberality of the Crown of England at the time of the Cession of the Country, one of the most valuable was the common privilege of obtaining Land for settlement without making any disbursement of money, and solely on the condition of paying to the Seignior a very small annual rent:

That certain provisions contained in the Imperial Statutes, commonly known as the Canada Trade Act, (3 Geo. 4, c. 119, secs. 31 and 32,) and the Canada Tenures Act, (6 Geo. 4, c. 59,) have materially curtailed that important privilege, by enabling the holders of Lands en fief, upon the payment of a certain indemnity to the Crown, not only to commute all dues and duties claimable by Your Majesty as the Seignior dominant, but also to free themselves from the obligation of conceding their waste Lands to the Inhabitants of the country upon moderate rents:

That the facilities given under the said Acts, if taken advantage of by all the holders of Land en fief, would entail a serious injury upon the Inhabitants of Lower Canada, by enabling the former to change the trust-like character of their holding

into that of absolute proprietorship, without conferring any corresponding advantage upon the latter, and would seriously impede the settlement of the Country:

That not only for the purpose of developing the agricultural resources of the Country, but also with the view of enabling the local Legislature to deal more freely and efficiently with the important question relating to the Commutation of the Seigniorial Tenure, which now engages the anxious attention of the People and Parliament of Canada, it is, in the opinion of this House, due to the Inhabitants of Lower Canada to carry out the wise suggestions made by the Commissioners, who were appointed in the year 1834, for the investigation of grievances affecting that section of the Country, in relation to the said Acts:

We, therefore, humbly pray that Your Majesty will be graciously pleased to recommend to the favorable consideration of Parliament, the subject of the repeal of such parts of the said Trade and Tenures Acts as have relation to the Commutation of Lands held à titre de fief in Lower Canada, reserving all rights, titles, and advantages acquired under either of the said Acts.

The said Address, being read a second time, was agreed to.

Ordered, That the said Address be engrossed.

Resolved, That an humble Address be presented to His Excellency, the Governor General, informing him that this House hath voted an humble Address to Her Majesty on the subject of the Seigniorial Tenure in Lower Canada; and praying that His Excellency would be pleased to transmit the same to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That the said Address be engrossed.

Ordered, That the said Address be presented to His Excellency the Governor General

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by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Richards, seconded by Mr. Boulton of Toronto,

Insolvent
Debtors' Bill.

Ordered, That the Order of the day for the House in Committee on the Bill to extend the provisions of the Insolvent Debtors' Act, and to afford relief to a certain description of persons therein named, be now read.

And the said Order being read;

The House accordingly resolved itself into the said Committee.

Mr. Laurin took the Chair of the Committee; and after some time spent therein,

Mr. Speaker resumed the Chair;

And Mr. Laurin reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Laurin reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill, with the amendment, be engrossed, and read the third time this day.

On motion of Mr. Boulton of Toronto, seconded by Mr. Richards,

Bill relating
to Firemen in
Cities.

Ordered, That the Order of the day for the second reading of the Bill to exempt Firemen in Cities from the payment of Statute Labour Tax, be now read.

And the said Order being read;

The Bill was accordingly read a second time; and ordered to be engrossed, and read the third time this day.

Bill relating to the Independence of the Legislative Assembly.

The Honorable Mr. Macdonald moved, seconded by Mr. Meyers, and the Question being proposed, That the Order of the day for the second reading of the Bill to repeal certain provisions of the Act for better securing the independence of the Legislative Assembly of this Province, be now read;

Mr. Letellier moved in amendment to the Question, seconded by Mr. Chauveau, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be read a second time this day six months" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Chauveau, Dickson, Solicitor General Drummond, Hopkins, Laurin, Letellier, Mackenzie, Morrison, Price, Richards, Smith of FRONTENAC, Taché, and Wilson.--(14.)

NAYS.

Messieurs Cameron of CORNWALL, Macdonald of KINGSTON, McConnell, Meyers, Ross, and Stevenson.--(6.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

Bill relating to Rectories.

Mr. Wilson moved, seconded by Mr. Cameron of Cornwall, and the Question being proposed, That the engrossed Bill to repeal so much of the Imperial Act 31 Geo. 3, cap. 31, as relates to

Rectories, and the presentation of Incumbents to the same, be now read the third time;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Morrison, That all the words after "That" to the end of the Question be left out, in order to add the words "the remaining Orders of the day be postponed until to-morrow;"

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the engrossed Bill to repeal so much of the Imperial Act 31 Geo. 3, cap. 31, as relates to Rectories, and the presentation of Incumbents to the same, be now read the third time;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Morrison, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Hopkins, Mackenzie, and Morrison.--(3.)

NAYS.

Messieurs Baldwin, Boulton of TORONTO, Cameron of CORNWALL, Chauveau, Dickson, Solicitor General Drummond, Fournier, Hincks, Laurin, Letellier, Macdonald of KINGSTON, McConnell, Meyers, Price, Richards, Ross, Smith of FRONTENAC, Stevenson, Taché, and Wilson.--(20.)

So it passed in the Negative.

And the Question being again proposed, That the engrossed Bill to repeal so much of the Imperial Act 31 Geo. 3, cap. 31, as relates to Rectories, and the presentation of Incumbents to the same, be now read the third time;

Mr. Morrison moved in amendment to the Question, seconded by Mr. Mackenzie, That all the words after "now" to the end of the Question be left out, in order to add the words "recommitted to a Committee of the whole House, for the purpose of leaving out all the words after 'henceforth' in the first Clause;"

And the Question being put on the Amendment; the House divided:

Yeas, 3.

Nays, 20.

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

Then the Bill was read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to repeal so much of the Act of the Parliament of Great Britain, passed in the thirty-first year of the Reign of King George the Third, and chaptered thirty-one, as relates to Rectories and the presentation of Incumbents to the same, and for other purposes connected with such Rectories."

Ordered, That Mr. Wilson do carry the Bill to the Legislative Council, and desire their concurrence.

Insolvent Debtors' Bill.

An engrossed Bill to extend the provisions of the Insolvent Debtors' Act, and to afford relief to a certain description of persons therein named, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Richards do carry the Bill to the Legislative Council, and desire their concurrence.

Bill relating to Firemen in Cities.

An engrossed Bill to exempt Firemen in Cities from the payment of Statute Labour Tax, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Boulton of Toronto do carry the Bill to the Legislative Council, and desire their concurrence.

Orders deferred.

Ordered, That the Orders of the day that remain undisposed of at the adjournment of the House, this day, be postponed until to-morrow.

Adjournment.

Mr. Mackenzie moved, seconded by Mr. Morrison, and the Question being put, That this House do now adjourn; the House

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divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of TORONTO, Chauveau, Solicitor General Drummond, Fournier, Hincks, Laurin, Letellier, Mackenzie, Morrison, Richards, Ross, and Stevenson.--(12.)

NAYS.

Messieurs Cameron of CORNWALL, Dickson, Hopkins, Macdonald of KINGSTON, McConnell, Meyers, Smith of FRONTENAC, Taché, and Wilson.--(9.)

So it was resolved in the Affirmative.

And the House adjourned accordingly.⁴⁴

FOOTNOTES: 29 AUGUST 1851.

1. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 30 August 1851, PILOT, 4 September 1851, BATHURST COURIER, 5 September 1851, and NORTH AMERICAN, 5 September 1851. The following papers noted the debate in identical accounts: BRITISH COLONIST, 2 September 1851, and HAMILTON SPECTATOR, 3 September 1851, which copied from PATRIOT, of unknown date.
2. GLOBE, 30 August 1851.
3. IBID.
4. IBID.
5. IBID., which added that Mr. Cauchon's conduct during the course of Mackenzie's speech was "most contemptible."
6. GLOBE, 30 August 1851.
7. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 2 September 1851, and HAMILTON SPECTATOR, 3 September 1851. The following papers noted the debate in identical accounts: GLOBE, 30 August 1851, PILOT, 4 September 1851, NORTH AMERICAN, 5 September 1851, and BATHURST COURIER, 5 September 1851.
8. HAMILTON SPECTATOR, 3 September 1851.
9. IBID.
10. IBID.
11. The following papers noted the debate on this matter in identical accounts: GLOBE, 30 August 1851, PILOT, 4 September 1851, and NORTH AMERICAN, 5 September 1851; BRITISH WHIG, 1 September 1851, and MONTREAL TRANSCRIPT, 2 September 1851; BRITISH COLONIST, 2 September 1851, and HAMILTON SPECTATOR, 3 September 1851.
12. HAMILTON SPECTATOR, 3 September 1851.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. GLOBE, 30 August 1851.
19. The following papers noted the debate on this matter in identical accounts: GLOBE, 30 August 1851, NORTH AMERICAN, 5 September 1851, and BATHURST COURIER, 5 September 1851; BRITISH WHIG, 1 September 1851, and MONTREAL TRANSCRIPT, 2 September 1851. The debate was also noted by: BRITISH COLONIST, 2 September 1851; and HAMILTON SPECTATOR, 3 September 1851. BRITISH COLONIST, 2 September 1851, commented that "there was a ... kind of opposition against time to destroy Mr. J.H. Cameron's bill, for the incorporation of the medical profession. Messrs. Smith of Durham and Mackenzie were the champions of this. The House went into committee on the bill, at about 10 o'clock of the evening, and noisy wrangling was all the business done. After the committee had sat for some time, the Speaker was called upon to take the Chair, to receive a message from the Council; and, once in, it was determined that he should not leave it."
20. BRITISH COLONIST, 2 September 1851.
21. HAMILTON SPECTATOR, 3 September 1851.
22. IBID.
23. IBID.
24. IBID.
25. The following papers reported the debate on this matter in identical accounts: GLOBE, 30 August 1851, NORTH AMERICAN, 5 September 1851, and BATHURST COURIER, 5 September 1851; BRITISH COLONIST, 2 September 1851, and HAMILTON SPECTATOR

3 September 1851. The following papers noted the debate in identical accounts: BRITISH WHIG, 1 September 1851, and MONTREAL TRANSCRIPT, 2 September 1851.

A commentary appeared in BRITISH COLONIST, 2 September 1851.

26. HAMILTON SPECTATOR, 3 September 1851.
27. GLOBE, 30 August 1851.
28. HAMILTON SPECTATOR, 3 September 1851.
29. IBID.
30. IBID.
31. GLOBE, 30 August 1851.
32. HAMILTON SPECTATOR, 3 September 1851.
33. IBID.
34. GLOBE, 30 August 1851.
35. HAMILTON SPECTATOR, 3 September 1851.
36. GLOBE, 30 August 1851.
37. IBID.
38. IBID.
39. IBID.
40. GLOBE, 30 August 1851.
41. HAMILTON SPECTATOR, 3 September 1851.
42. GLOBE, 30 August 1851.
43. GLOBE, 30 August 1851, NORTH AMERICAN, 5 September 1851, and BATHURST COURIER, 5 September 1851, noted in identical accounts that: "seeing no prospect, but a repetition of the scenes which occupied the House until five o'clock this morning, the Reporters left the gallery at midnight, the last sounds they heard being the voice of the hon. member for Haldimand, and the discordant interruption of the majority."
44. BRITISH COLONIST, 2 September 1851, commented that: "adjournments were successively moved until three o'clock of the morning, amid groaning and shouting, and laughing, and yelling, impossible to describe; and which we cannot illustrate by any trope, as we never before saw, in any deliberative body, such a scene of discord and confusion. The opposition was successful. The bill was delayed too late to allow time for it's being engrossed."

SATURDAY, 30 AUGUST 1851.

10 O'CLOCK A.M.¹

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Bill relating to
Chartered Road
Companies.

AN engrossed Bill to provide against Chartered Road Companies allowing their Roads to remain in disrepair, and for other purposes therein mentioned, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Meyers do carry the Bill to the Legislative Council, and desire their concurrence.

Contingencies.

The Order of the day for the House in Committee on the Second Report of the Standing Committee on Contingencies,

being read;²

MR. BELL moved the reference to the committee of the whole of the second Report of the Committee on Contingencies. It was important to have it passed through, or, at least, that part of it which had reference to supplies.³

MR. CHAUVEAU rose for the purpose of mentioning that the Clerk of the Crown in Chancery was overlooked in that report. He (Mr. C.) thought that unjust. In the House of Commons, in England, the Clerk of the Crown in Chancery, held the second highest office in the House. In the present instance the Clerk of the Crown was an officer of the Assembly, and his claims should not be overlooked.⁴

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The House accordingly resolved itself into the said Committee.

The Honorable Mr. Price took the Chair of the Committee.

A very rambling and obstreperous conversation ensued which lasted about an hour.⁵

MR. RICHARDS, and MESSRS. H. and J. SMITH of Frontenac and Durham, ... [objected] to the Report, and ... spoke against time to defeat it.⁶

MR. SHERWOOD remarked that he thought the report should not be thrown aside, but that part relative to the promotion of officers and the claim of Mr. Cardinal, be left over until the next Parliament, as there was not then time to discuss it, and the House was too thin to decide. But he would not pronounce any opinion upon Mr. Cardinal's claim, although from enquiry, he had heard enough to convince him that that claim should not hastily be disposed of.⁷

MR. LYON opposed the postponement, and thought the present House the best able to decide.⁸

MESSRS. ARMSTRONG and BELL both made speeches, as was understood, in favour of the report, but, neither of them could be distinctly heard amidst the uproar.⁹

MR. H. SHERWOOD considered it invidious to promote two officers, Messrs. Hartney and Spink, and pass all the others over. He expressed his general opinions against raising salaries of officers of the House.¹⁰

DR. FORTIER said the Clerk of the House had been before the Committee, and every pains and means had been taken to recommend the most deserving. It was false to say, as it had been said, that the Committee had acted invidiously and at random. They acted deliberately and upon the best information they could get. It was all very well to make speeches. The elections were coming, and it would be a very nice thing to say, "I have made a retrenchment--I have cut down the salary of a poor

Clerk 10s. a day."¹¹

MR. H. SHERWOOD thought, that as the hon. member could speak so eloquently, it was a pity he had not tried his hand at it a little earlier in the session.¹²

MR. RICHARDS spoke generally against increasing the salaries of the clerks of the House. As a whole they were too much overpaid. They were better paid proportionally than any other class of men in the country. Some of them got very high salaries. He was opposed to any increase unless a specific case were made out; but as this had been done in Messrs. Spink and Hartney's case, he had no objection to giving them an increase. The hon. member went on repeating the sentiments above expressed for the space of half an hour.¹³

A dozen members then tried to speak at once. The object being a match against time.¹⁴

MR. RICHARDS and MR. H. SMITH said that if hon. members wished to get the report through, they were mistaken.¹⁵

A scene of indescribable shouting and confusion ensued.¹⁶

MR. ROSS said the translators should not be placed on the same footing as extra writers. They should form a class by themselves and receive one pound a day. They required intelligence and an education almost classical.¹⁷

MR. INSP. GEN. HINCKS said, the House should not overlook a specific recommendation like that in the case of Messrs. Spink and Hartney.¹⁸

MR. H. SMITH of Frontenac said, it was invidious to overlook an officer like Mr. Lindsay, the Assistant Law Clerk, and promote Messrs. Spink and Hartney. He said nothing against those gentlemen; but he thought Mr. Lindsay more deserving of promotion. He worked all day, and was sometimes up all night. The nature of his duties was such as to require professional knowledge, and was not merely mechanical. Mr. Lindsay worked hard, and did his duties well. He was a gentleman of education, and a professional man. He (Mr. S.) could not consent that he should be overlooked, while others were promoted. Mr. Smith went on speaking against time.¹⁹

The discussion continued; but nothing new came out.²⁰

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and after some time spent therein,

Mr. Speaker resumed the Chair;

And the Honorable Mr. Price reported, That the Committee had come to several Resolutions.

Ordered, That the Report be now received.

The Honorable Mr. Price reported the Resolutions accordingly; and the same were read, as follow:--

1. *Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to issue his Warrant in favor of William Burns Lindsay, Esquire, Clerk of this House, for a further sum of Nineteen thousand four hundred and eighty pounds thirteen shillings and seven pence currency, on account of the Contingencies of this House; and assuring His Excellency that this House will make good the same.*

2. *Resolved, That the Speaker give directions that after the Parliament shall be removed to Quebec, one of the Clerks in the Office of this House do remain in Toronto, and that he be required to keep an Office: That complete fyles of the Journals, Appendices, Statutes, and all other Parliamentary Papers be deposited therein, for constant reference: That the said Clerk shall, under the direction*

of the Clerk of this House, attend to the duty of distributing the Journals and Appendices to Members, and to the several Municipalities throughout Upper Canada, in accordance with the Order of this House; and that he shall have the care of such property of the House as it shall be thought expedient not to remove to Quebec.

3. Resolved, That the Second Report of the Standing Committee on Contingencies be amended, by leaving out the words "one half of the amount (Two hundred and fifty pounds)" in the fourth paragraph thereof, and inserting the words "the amount" instead thereof; by leaving out the words "to their intended destination, and the remaining Two hundred and fifty pounds upon his return from England, (whither it is his intention to proceed, in order to cause his sketches to be engraved or lithographed for sale,) and delivery of the Paintings that shall have been so selected" in the same paragraph; and by leaving out the words "as an encouragement to exemplary merit in the service of Your Honorable House, from the fifth to the fourth class" in the seventh paragraph.

4. Resolved, That this House doth concur with the Standing Committee on Contingencies in their Second Report, so amended.

And the first to the third of the Resolutions, both inclusive, being read a second time, were agreed to.

The fourth Resolution being read a second time; and the Question being proposed, That this House doth concur with the Committee in the said Resolution;

Mr. Richards moved in amendment to the Question, seconded by Mr. Smith of Durham, That all the words after "That" to the end of the Question be left out, in order to add the words "the Second Report of the Standing Committee on Contingencies be now recommitted to a Committee of the whole House, for the purpose of amending the same, by leaving out all after the sixth paragraph" instead thereof;

And the Question being put on the Amendment; the House divided; and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Boulton of TORONTO, Dickson, Hopkins, Macdonald of KINGSTON, Mackenzie, Notman, Richards, Robinson, Seymour, Sherwood of BROCKVILLE, Smith of DURHAM, and Smith of FRONTENAC.--(13.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Cameron of CORNWALL, Cauchon, Chauveau, Solicitor General Drummond, Duchesnay, Fergusson, Flint, Fortier, Hincks, LaTerrière, Laurin, Letellier, Lyon, Sir Allan N. MacNab, Morrison, Price, Prince, Ross, and Taché.--(22.)

So it passed in the Negative.

And the Question being again proposed, That this House doth concur with the Committee in the said Resolution;

Mr. Richards moved in amendment to the Question, seconded by Mr. Smith of Durham, That all the words after "That" to the end of the Question be left out, in order to add the words "the Question be now separately put upon each paragraph of the Second Report of the Standing Committee on Contingencies," instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton of NORFOLK, Dickson, Hopkins, Macdonald of KINGSTON, Mackenzie, Notman, Richards, Seymour, Smith of DURHAM, and Smith of FRONTENAC.--(10.)

NAYS.

Messieurs Armstrong, Baldwin, Bell, Boulton of TORONTO, Cameron of CORNWALL, Chauveau, Solicitor General Drummond, Duchesnay, Fergusson, Fortier, Fournier, Gugy, LaTerrière, Laurin, Letellier, Lyon, Sir Allan N. MacNab, McConnell, Morrison,

Prince, Robinson, Ross, Sauvageau, and Taché.--(24.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

*The report of the committee was finally adopted, at the very last moment.*²¹

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Message from
the Council.

*A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--
Mr. Speaker,*

Expiring Laws
Continuation
Bill.

*The Legislative Council have passed the Bill, intituled,
"An Act to continue for a limited time the several Acts and
Ordinances therein mentioned, and for other purposes," with
an Amendment, to which they desire the concurrence of this*

House.

And then he withdrew.

Expiring Laws
Continuation
Bill.

*Ordered, That the Amendment made by the Legislative Council
to the Bill, intituled, "An Act to continue for a
limited time the several Acts and Ordinances therein
mentioned, and for other purposes," be now taken into*

consideration.

*The House proceeded accordingly to take the said Amendment into consideration;
and the same was read, as followeth:--*

Press 4, line 21. After "continued" insert Clause (A.)

*Clause (A.) "And whereas it is expedient to extend and continue for a limited
time, certain provisions of the Act hereinafter mentioned: Be it therefore enacted,
That for and notwithstanding any thing in the Act passed in the twelfth year of
Her Majesty's Reign, and intituled, "An Act to remedy certain defects in the Reg-
istration of Deeds and Instruments relating to Real Property in the Registry Office
at Montreal," or in the Act passed in the Session held in the thirteenth and four-
teenth years of Her Majesty's Reign, intituled, 'An Act to extend the period limited
for certain purposes in the Montreal Registry Office,' the period of twelve months,
from the passing of the said Act first mentioned in this Section, which is therein
mentioned as the period during which the registration of certain Instruments may be
efficiently completed in the manner in the said Act provided, and during which no
error, omission, or irregularity on the part of Edward Dowling, or his Deputy,
shall be held to render the registration of any Instruments incomplete or void, and
during which certain other things may or must be done under the said Act, and which
was extended by the said last mentioned Act to the period of twelve months from the
passing thereof, shall be, and the same is hereby further extended to the period of
twelve months from the passing of this Act, and the said first mentioned Act; and
this Act shall be construed and have effect to all intents and purposes whatsoever,
and all Commissions issued under the said Act, and all things done by the Commis-
sioners, shall be valid and effectual as if the period last aforesaid had been
mentioned in every part of the said Act instead of the period therein mentioned and
first aforesaid, and as if the Act had been passed before the expiration of the
period first aforesaid: Provided always, that it shall be lawful for the Governor
in Council, at any time within the said period of twelve months from the passing of
this Act, by Proclamation under the Great Seal, inserted at least four times in the
Canada Gazette, that the said period shall be abridged, and shall expire on a day
certain therein mentioned, and the same shall thereupon be abridged accordingly, and
the day in such Proclamation mentioned for that purpose shall be to all intents and
purposes as the day on which the said period of twelve months from the passing of
this Act will expire, so far as regards the said Act first mentioned in this Section*

and this Act, or anything therein or herein contained."

And the said Amendment, being read a second time, was agreed to.

Ordered, That Mr. Solicitor General Drummond do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their Amendment.

Message from the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Bill relating to Rectories.

Bill, intituled, "An Act to repeal so much of the Act of the Parliament of Great Britain, passed in the thirty-first year of the Reign of King George the Third, and chaptered thirty-one, as relates to Rectories and the presentation of Incumbents to the same, and for other purposes connected with such Rectories:"

Clerks of Assize (U.C.) Office Regulation Bill.

Bill, intituled, "An Act to authorize and require the several Deputy Clerks of the Crown to perform the duties of Clerks of Assize in their respective Counties in Upper Canada, except as therein mentioned:"

Bill relating to the guarding of the Montreal Gaol.

Bill, intituled, "An Act to provide means to recover from the Corporation of the City of Montreal, part of the expense incurred in guarding the Common Gaol at that place:"

Agricultural Act (L.C.) Amendment Bill.

Bill, intituled, "An Act to amend the Act for the encouragement of Agriculture in Lower Canada:"

Hunting and Game Bill.

Bill, intituled, "An Act for the regulation of Hunting and the preservation of Game:"

Medical Profession (L.C.) Bill.

Bill, intituled, "An Act to amend the 'Act incorporating the Members of the Medical Profession in Lower Canada, and to regulate the study and practice of Physic and Surgery therein,' to afford relief to certain persons who were in practice as Physicians and Surgeons in this Province at the time when the said Act became Law."

And then he withdrew.

Rectories.

The Honorable Mr. Hincks moved, seconded by Mr. Wilson, and the Question being put, That an humble Address be presented to His Excellency the Governor General, informing His Excellency that both Houses of the Provincial Parliament have, in this present Session thereof, passed a Bill, intituled, "An Act to repeal so much of the Act of the Parliament of Great Britain, passed in the thirty-first year of the Reign of King George the Third, and chaptered thirty-one, as relates to Rectories and the presentation of Incumbents to the same, and for other purposes connected with such Rectories," which Bill repeals the several provisions contained in the Act of the Imperial Parliament of Great Britain passed in the thirty-first year of the Reign of King George the Third, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," respecting the constituting, erecting and endowing of Parsonages or Rectories within this Province,

and respecting the presentation of Incumbents or Ministers of the same; and that this House prays that, in order to give effect to the said Bill, His Excellency will be pleased to cause the same to be transmitted to England without delay, for the purpose of its being laid before the Imperial Parliament, previously to the signification of Her Majesty's Assent thereto, pursuant to the provisions of the 42nd Section of the Union Act; the House divided:²²

MR. MACKENZIE said ... the Rectory Bill should not pass, and threatened to speak the whole morning until the gun fired. He spoke for three quarters of an hour amid all kinds of noises and interruptions. He sat down to write an amendment, giving an opportunity for the motion to be put²³.

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and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Armstrong, Bell, Cameron of CORNWALL, Chauveau, Dickson, Solicitor Gen-

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eral Drummond, Duchesnay, Fergusson, Fortier, Fournier, Hincks, Laurin, Letellier, Lyon, Macdonald of KINGSTON, Sir Allan N. MacNab, McConnell, Merritt, Meyers, Polette, Price, Robinson, Ross, Sauvageau, Sherwood of TORONTO, Stevenson, Taché, and Wilson.--(28.)

NAYS.

Messieurs Mackenzie, Notman, and Smith of DURHAM.--(3.)

So it was resolved in the Affirmative.

Loud cheers, clapping of hands, and laughter arose from all sides.²⁴

MR. INSP. GEN. HINCKS and some others, shouted out vociferously "sold, sold sold!"²⁵

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Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Sir Allan N. MacNab, seconded by Mr. Fortier,

Missing Journals of the Upper Canada Legislature.

Resolved, That Mr. Speaker be instructed to cause enquiry to be made whether any and what steps have been taken, in compliance with the Resolution of this House of the 23rd July, 1847, for procuring Manuscript Copies of certain missing Journals of the Upper Canada Legislature;

and that he be empowered to adopt such further measures as may be necessary for giving effect to the said order.

Message from the Council.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Bill relating to the construction of Railways.

Bill, intituled, "An Act to repeal so much of the Act thirteenth and fourteenth Victoria, chapter seventy-two, as relates to the construction of Railways:"

Municipal Laws (L.C.) Amendment Bill.

Bill, intituled, "An Act further to amend the Municipal Laws of Lower Canada:"

Insolvent Debtors' Bill.

Bill, intituled, "An Act to extend the provisions of the Insolvent Debtors' Act, and to afford relief to a certain description of persons therein named:"

Wolfe Island &c. Railroad Bill.

Bill, intituled, "An Act to incorporate the Wolfe Island Railway and Canal Company:"

Bill relating to Firemen in Cities.

Bill, intituled, "An Act to exempt Firemen in Cities from the payment of Statute Labour Tax."
And then he withdrew.

Eighth Report of Committee on Railroads and Telegraph Lines.

Sir Allan N. MacNab, from the Standing Committee on Railroads and Telegraph Lines, presented to the House the Eighth Report of the said Committee; which was read.

Appendix (U.U.)

For the said Report, see Appendix (U.U.)

Resolved, That this House doth concur with the Committee in the said Report.

Ordered, That the said Report, with the accompanying documents, be printed for the use of the Members of this House.

On motion of Sir Allan N. MacNab, seconded by the Honorable Mr. Macdonald,

Lake Superior and Pacific Railroad Bill.

Ordered, That the Clerk of this House do refund to the Petitioners the Fee of Fifteen pounds paid on the Bill to incorporate the Lake Superior and Pacific Railroad Company.

Answer to Addresses.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, reported to the House, That their Addresses of the 19th August instant, (that His Excellency would be pleased to cause the Bill passed by this House during the present Session, intituled, "An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other purposes therein mentioned," and also the Bill, intituled, "An Act to provide for the establishment of a Church Society of the United Church of England and Ireland in each Diocese of that Church in Lower Canada, and for other purposes connected with the recent division of the Diocese of Quebec," to be transmitted to England without delay, for the purpose of being laid before Parliament previous to the signification of Her Majesty's Assent thereto,) had been presented to His Excellency; and that His Excellency had commanded him to acquaint this House, that he will, without delay, transmit the said Bills to Her Majesty's Principal Secretary of State for the Colonies, for the purpose of their being laid before Parliament accordingly.

On motion of the Honorable Mr. Robinson, seconded by Mr. Morrison,

Ship Canal at Sault Ste. Marie.

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to take into consideration the

construction of a Ship Canal at Sault Ste. Marie, to connect the waters of Lakes Huron and Superior.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Obstructions in the bed of the River St. Lawrence.

The Honorable Mr. Merritt moved, seconded by the Honorable Mr. Robinson, and the Question being proposed, That an humble Address be presented to His Excellency the Gov-

ernor General, praying that His Excellency may be pleased, at the earliest opportunity, to take the necessary steps for the removal of all obstructions in the bed of the River St. Lawrence, from Lake Ontario to the Tidewater below Montreal, to the depth of ten feet water, so as to admit the safe passage of vessels capable of carrying ten thousand barrels of Flour;--

MR. J. SMITH of Durham, spoke to something before the chair, but it was impossible to tell what, the noise and confusion in the House being so great.²⁶

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Royal Assent
to Bills.

A Message from His Excellency the Governor General, by Frederick Starr Jarvis, Esquire, Gentleman Usher of the Black Rod:--

Mr. Speaker,

I am commanded by His Excellency the Governor General to acquaint this Honorable House, that it is the pleasure of His Excellency that the Members thereof do forthwith attend him in the Legislative Council Chamber.

Accordingly Mr. Speaker, with the House, went up to attend His Excellency; where His Excellency was pleased to give, in Her Majesty's Name, the Royal Assent to the following Public and Private Bills:--

Mortgagees
Relief Bill.

An Act for the relief of Mortgagees.

Decimal Cur-
rency Bill.

An Act to provide for the introduction of the Decimal System into the Currency of this Province, and otherwise to amend the Laws relative to the Currency.

Currency Act
Amendment Bill.

An Act to extend the provisions of the Currency Act to certain Gold and Silver Coins coined after the periods in the said Act limited.

Census Bill.

An Act to provide more effectually for taking the periodical Census of the Province.

Party Processions
Act Repeal Bill.

An Act to repeal the Act of the seventh Victoria, chapter six, intituled, "An Act to restrain Party Processions in certain cases."

Railways General
Clauses Bill.

An Act to consolidate and regulate the General Clauses relating to Railways.

Bill relating to
the expenses of
Light Houses.

An Act to repeal the Tonnage Dues imposed for defraying the expenses of maintaining Light Houses, and for other purposes connected with the navigation of the waters of this Province, and to provide for the payment of such ex-

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penses out of the Consolidated Revenue Fund.

Public Works
Bill.

An Act for the further amendment of the Laws relating to the Public Works in this Province.

Magistrates
Protection Bill.

An Act to amend and consolidate the Laws affording protection to Magistrates and others in the performance of public duties.

Savings Banks
Act Continuation
Bill.

An Act to continue for a limited time, an Act, intituled, "An Act to encourage the establishment of and regulate Savings Banks in this Province."

Crown Patents
Fees Bill.

An Act to extend the period for payment of Fees on Crown Patents, and for other purposes therein mentioned.

Bill relating to
Municipalities
acquiring Public
Works.

An Act to remove doubt as to Municipal Corporate Bodies acquiring Public Works without the limits of such Municipalities.

Bill relating to
Meetings of
Relations and
Friends.

An Act to allow Notaries to call meetings of relations and friends in certain cases, without being thereto specially authorized by a Judge.

Indians (L.C.)
Property pro-
tection Bill.

An Act to repeal in part and to amend an Act, intituled, "An Act for the better protection of the Lands and Property of the Indians in Lower Canada."

Real or mixed
Actions Bill.

as to cases in which Absentees may be parties.

An Act to amend the Law of Lower Canada as regards the District or Circuit in which Actions or proceedings affecting real property may be brought, and to make further provision

Bill relating to
Deer and the
Game Laws.

An Act to prevent the hunting of Deer at improper seasons of the year, and further to amend the Laws for the preservation of Game.

Bills of Exchange
and Promissory
Notes Bill (L.C.).

An Act to explain and amend the Law in Lower Canada respecting Bills of Exchange and Promissory Notes.

Kamouraska and
Aylmer Court Houses
and Gaols Bill.

An Act to appropriate all monies accruing out of Tavern Licenses in the Counties which form the District of Kamouraska, and the Court House and Gaol now being erected in Aylmer.

Replevin Law
Amendment Bill.

An Act to amend and extend the Law relating to the remedy by Replevin in Upper Canada.

Jurors Act (U.C.)
Amendment Bill.

An Act to amend the Upper Canada Jurors' Act of 1850, and to make some further provisions for the better accomplishment of the object thereof.

Law of Evidence
Bill (U.C.).

An Act to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, "An Act to improve the Law of Evidence in Upper Canada."

Naval Reserves
Vesting Bill.

described, and for granting certain powers to the said Commissioners, and for other purposes therein mentioned.

An Act for vesting in the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, the Estates and Property therein

Expiring Laws
Continuation Bill.

An Act to continue for a limited time the several Acts and Ordinances therein mentioned, and for other purposes.

Freedom of Banking
Bill.

An Act to amend the Act to establish Freedom of Banking in this Province.

Bill relating to
Chartered Banks.

An Act to exempt the several Chartered Banks from the Tax on their Circulation, on certain conditions.

Post Office Act
Amendment Bill.

An Act to amend the Post Office Act.

Debentures
Bill.

An Act for raising on the Credit of the Consolidated Revenue Fund, a certain Sum required for the Public Service.

Bill relating
to the Province
Railway Bill.

An Act to extend the provisions of an Act passed in the present Session, intituled, "An Act to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province."

Bill relating to
Outrages at Works
undertaken by In-
corporated Companies.

thereof to certain Works undertaken by Incorporated Companies.

An Act to continue an Act passed in the eighth year of the Reign of Her Majesty, intituled, "An Act for the better preservation of the Peace and the prevention of Riots and violent Outrages at and near Public Works while in progress of construction," and to extend the operation

Local Police
Force Bill.

An Act to authorize the employment of Military Pensioners and others as a Local Police Force.

Emigrant Act
Amendment Bill.

An Act to amend the Emigrant Act, by reducing the Tax on Emigrants coming into this Province, and for other purposes.

Bill relating to
Patents for
Inventions.

An Act to enable parties holding Patents for Inventions confined to one Section of this Province, to obtain the extension of the same to the other Section thereof, and for other purposes therein mentioned.

Bill relating
to Securities
to the Crown.

An Act to provide for the discharge of Sureties for Public Officers in certain cases.

Bill relating to
the Provincial
Statutes.

An Act to repeal part of the Act therein mentioned, relative to the printing and distribution of the Provincial Statutes.

Pawnbrokers
Bill.

An Act for the regulation of Pawnbrokers and Pawn-broking.

Bill relating
to Lunatics.

An Act to authorize the confinement of Lunatics in cases where their being at large may be dangerous to the Public.

Private Lunatic
Asylums Bill.

An Act for the regulation of Private Lunatic Asylums.

Bill relating to
Firemen in Cities.

An Act to exempt Firemen in Cities from the payment of Statute Labour Tax.

Library Associations
and Mechanics' In-
stitutes Bill.

An Act to provide for the incorporation and better management of Library Associations and Mechanics' Institutes.

Bill relating to
the Election of
Members.

An Act to amend the Laws regulating the Election of Members of the Legislative Assembly in certain Counties, in so far as relates to the return of Writs.

Court of Queen's
Bench Act Amend-
ment Bill (L.C.).

An Act to amend the Act establishing the Court of Queen's Bench for Lower Canada.

Jurors Bill (L.C.).

An Act to amend the Act, intituled, "An Act to regulate the summoning of Jurors in Lower Canada."

Bill relating to certain Judgments in Lower Canada.

An Act to render executory certain Judgments in Lower Canada, and to provide more effectually to enforce Judgments in case of resistance.

Richmond and Stanstead Circuit Court Bill.

An Act to increase the number of sittings of the Circuit Court at Richmond and Stanstead.

Bill relating to Real Property illegally detained.

An Act to provide a more summary and less expensive process for proprietors of real property in Lower Canada to acquire the possession thereof when illegally detained from them in certain cases.

Registration of Deeds Bill (L.C.).

An Act to explain and amend the Laws relating to the Registration of Deeds in Lower Canada.

Bill to amend the Law respecting Protests.

An Act to amend the Law respecting the Protesting of Bills of Exchange and Promissory Notes.

Bill relating to Summary Convictions.

An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to summary convictions and orders.

Bill relating to Indictable Offences.

An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences.

Normal School Bill (L.C.).

An Act to provide for the establishment of a Normal School, and further to promote Education in Lower Canada.

Municipal Law (L.C.) Amendment Bill.

An Act further to amend the Municipal Laws of Lower Canada.

Municipalities Act (L.C.) Amendment Bill.

An Act to repeal a Proviso of the Act of the now last Session amending the Lower Canada Municipalities Act.

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Tavern Keepers, &c., Licenses Bill.

An Act to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of

Intemperance.

Bill to correct a clerical error in the Act 13 and 14 Vic. cap. 96.

An Act to correct a clerical error in the English version of the Act of last Session exempting Masters of Vessels belonging to Lower Canada from taking Pilots in certain cases.

Bill relating to Navigable Rivers and Rivulets (L.C.).

An Act to amend an Act passed in the thirteenth and fourteenth years of Her Majesty's Reign, relating to Agriculture in Lower Canada, in so far as the said Act concerns navigable Rivers and Rivulets, and the banks thereof used

in the floating and conveyance of Wood and Timber.

Parishes, Churches, &c. Erection Bill.

An Act to amend the Act to continue and amend the Ordinance concerning the erection of Parishes, Churches, and Church-Yards in Lower Canada.

Agriculture Act (L.C.) Amendment Bill.

An Act to amend the Act for the encouragement of Agriculture in Lower Canada.

Medical Profession Bill
(L.C.).

icians and Surgeons in this Province at the time when the said Act became Law.

Bill to set apart Lands for Indians
(L.C.).

Hunting and Game Bill.

Bill relative to the Election of Members in certain Townships.

Municipal Corporations Act (U.C.) Amendment Bill.

Assessment Law (U.C.) Amendment Bill.

Bill to restore rights to certain persons.

Bill relating to Jurors (U.C.).

Chancery Decrees and Orders Bill
(U.C.).

Action of Ejectment Bill.

Bill to enable certain married women to convey Real Estate.

Insolvent Debtors' Bill.

Bill relating to Recorders' Courts (U.C.).

Clerks of Assize (U.C.) Office Regulation Bill.

An Act to amend the "Act incorporating the Members of the Medical Profession in Lower Canada, and to regulate the study and practice of Physic and Surgery therein," to afford relief to certain persons who were in practice as Physicians and Surgeons in this Province at the time when the said Act became Law.

An Act to authorize the setting apart of Lands for the use of certain Indian Tribes in Lower Canada.

An Act for the regulation of Hunting and the preservation of Game.

An Act to fix the place for holding the Polls for the Election of Members of Parliament in Townships divided into Wards, in Upper Canada, and for other purposes relative to Elections.

An Act to amend the Upper Canada Municipal Corporations Act of 1849, by adapting the same to the late change in the Upper Canada Assessment Laws, and for other purposes relating to the Municipal Corporations of that section of the Province.

An Act to explain and amend the Assessment Law of Upper Canada.

An Act to define and restore certain rights to parties therein mentioned.

An Act to extend the time for making the selection of Jurors and preparing the Jurors' Books in Upper Canada in the present year.

An Act to confirm Decrees and Orders, and other proceedings of the Court of Chancery of Upper Canada, in certain cases.

An Act to alter and settle the mode of proceeding in the Action of Ejectment.

An Act to enable Married Women resident in foreign countries to convey Real Estate of which they are seized in Upper Canada.

An Act to extend the provisions of the Insolvent Debtors' Act, and to afford relief to a certain description of persons therein named.

An Act to authorize the payment of certain expenses of the Administration of Justice in the Recorders' Courts in Upper Canada, out of the Consolidated Revenue Fund of this Province.

An Act to authorize and require the several Deputy Clerks of the Crown to perform the duties of Clerks of Assize in their respective Counties in Upper Canada, except as therein mentioned.

Justices of the
Peace (U.C.)
Fees Bill.

An Act to establish an uniform rate of Fees to be received by Justices of the Peace in Upper Canada, and to repeal the Act of Upper Canada passed in the fourth year of the Reign of King William the Fourth, chapter seventeen.

Tavern Licenses
Laws (U.C.)
Amendment Bill.

An Act to explain and amend the Act of the last Session, intituled, "An Act to amend the Laws relative to Tavern Licenses in Upper Canada."

Bill relating to
the construction
of Railways.

An Act to repeal so much of the Act thirteenth and fourteenth Victoria, chapter seventy-two, as relates to the construction of Railways.

Joint Stock Road
Companies Bill
(U.C.).

An Act to amend the Act, intituled, "An Act to authorize the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada," and to extend the provisions thereof.

Bill relating to
Rivers and Rivulets
(U.C.).

An Act to explain and amend the Acts for preventing obstructions in Rivers and Rivulets in Upper Canada.

Bill relative to
Municipal Corpora-
tions (U.C.) pur-
chasing Public Works.

An Act to enable Municipal Corporations in Upper Canada to contract debts to the Crown in the purchase of Public Works without imposing a special rate or tax for the payment of the same.

Bill relating to
County Grammar
Schools (U.C.).

An Act to repeal the provision limiting the distance between the County Town and any additional Grammar School in the same County, in Upper Canada.

Navigation of
the Inland
Waters Bill.

An Act to amend an Act, intituled, "An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the navigation of the waters of this Province."

Agricultural
Societies (U.C.)
Organization Bill.

An Act to provide for the better organization of Agricultural Societies in Upper Canada.

Montreal Cor-
poration Bill.

An Act to amend and consolidate the provisions of the Ordinance to incorporate the City and Town of Montreal, and of a certain Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal.

Bill relating
to the guarding
of the Montreal
Gaol.

An Act to provide means to recover from the Corporation of the City of Montreal, part of the expense incurred in guarding the Common Gaol at that place.

Quebec Incor-
poration Bill.

An Act further to amend the Ordinance incorporating the City of Quebec.

Quebec City Water
Supply Bill.

An Act further to amend the Act for supplying the City of Quebec, and parts adjacent thereto, with water.

Quebec Turnpike
Roads Bill.

An Act to authorize the Quebec Turnpike Road Trustees to effect a new Loan, and to extend the provisions of the Quebec Turnpike Road Ordinance to certain other Roads.

Montmorency
Bridge Bill.

An Act to authorize the Trustees of the Quebec Turnpike Roads to issue Debentures to a limited amount, for the purpose of buying and rebuilding the Montmorency Bridge.

Maskinongé
Common Bill.

An Act to revive and amend the Act relating to the Common of Maskinongé.

Yamaska Common
Bill.

An Act to revive the Act authorizing the Inhabitants of the Seignior of Yamaska to regulate the Common of the said Seignior.

Parishes Erection
Bill (L.C.).

An Act to provide for the erection of Parishes for Civil purposes only in the Seignior of Argenteuil, in Lower Canada.

St. Louis de
Lotbinière Parish
Registers Bill.

An Act to remedy as far as possible the inconvenience which might otherwise arise from the destruction of the Registers of the Parish of St. Louis de Lotbinière.

Hamilton Court
House Square Bill.

An Act to authorize the Municipal Council of the United Counties of Wentworth and Halton to dispose of a part of the present Court House Square.

Bill relating to
the Great Cranberry
Marsh.

An Act to authorize the County of Welland Municipal Council to purchase certain Lands in the said County, known as the Great Cranberry Marsh, and for other purposes.

Belleville Hospital
Reserve Bill.

An Act to allow a grant of the Hospital Reserve, Belleville, to the Town Council.

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Toronto Hospital
Trustees Bill.

An Act to amend the Act incorporating the Trustees of the Toronto Hospital.

Wesleyan Benevolent
Societies Bill.

An Act to incorporate the Benevolent Societies of the Wesleyan Methodist Church in Canada.

Montreal and Kingston
Railway Company Bill.

An Act to incorporate the Montreal and Kingston Railway Company.

St. Lawrence and
Lake Champlain
Railroad Branch Bill.

An Act to empower the Company of Proprietors of the Champlain and Saint Lawrence Railroad to make a Branch Road, and for other purposes.

Montreal and
Vermont Railway
Bill.

An Act to amend and extend the Act incorporating the Montreal and Vermont Junction Railway Company.

Kingston and
Toronto Railway
Bill.

An Act to incorporate the Kingston and Toronto Railway Company.

Bytown and
Prescott Rail-
way Bill.

An Act to amend the Act incorporating the Bytown and Prescott Railway Company.

Toronto and
Guelph Rail-
way Bill.

An Act for incorporating the Toronto and Guelph Railway Company.

Wolfe Island &c.
Railroad Bill.

An Act to incorporate the Wolfe Island Railway and Canal Company.

Sydenham Mountain Road Act Amendment Bill.

An Act to amend the Sydenham Mountain Road Act, and to vest in George Rolph, Esquire, his heirs and assigns, certain privileges therewith connected.

Grand River Navigation Bill.

An Act to authorize the Grand River Navigation Company to raise by way of loan, a certain sum of money, and for other purposes therein mentioned.

Manufactures Encouragement Bill.

An Act for incorporating and granting certain powers to a Company for the encouragement of Manufactures on the Welland Canal.

Niagara Harbour and Dock Bill.

An Act to amend the Act of Incorporation of the Niagara Harbour and Dock Company.

St. Lawrence School of Medicine Bill.

An Act to incorporate the St. Lawrence School of Medicine of Montreal.

Toronto School of Medicine Bill.

An Act to incorporate the Toronto School of Medicine.

Quebec Bank Bill.

An Act to reduce the number of the Directors of the Quebec Bank.

Port Burwell Harbour Company Bill.

An Act to amend the Act incorporating the Port Burwell Harbour Company.

Berthier Academy Bill.

An Act to incorporate the Directors of the Berthier Academy.

Sons of Temperance Bill (U.C.).

An Act to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance in Canada West.

Toronto Temperance Reformation Society Bill.

An Act to incorporate the Temperance Reformation Society of the City of Toronto.

Quebec Music Hall Association Bill.

An Act to incorporate the Quebec Music Hall Association.

Western Assurance Company Bill.

An Act to incorporate the Western Assurance Company.

Canada West Farmers' Mutual and Stock Insurance Company Bill.

An Act to incorporate "The Canada West Farmers' Mutual and Stock Insurance Company."

Montreal Marine Mutual Insurance Company Bill.

An Act to incorporate the Marine Mutual Insurance Company of Montreal.

Andrews' Road Vesting Bill.

An Act to vest a certain Road allowance in the Township of Hope, in the County of Durham, in James Madison Andrews and others.

Burlington Ladies' Academy Bill.

An Act to incorporate the Burlington Ladies' Academy.

Toronto General Burying Ground Bill.

An Act to authorize the Trustees of the Toronto General Burying Ground to acquire an additional lot of land.

Wood's Estate
Relief Bill.

An Act to afford relief to the Estate of the late Alexander Wood.

Bill to enable
C.R. Wilkes to
convey certain
Real Estate.

An Act to enable Caira Robbins Wilkes, the wife of George Samuel Wilkes, of Brantford, Esquire, to convey by herself certain Real Estate devised to her by her late father.

Stevens'
Attainder
Reversal Bill.

An Act to reverse the Attainder of Aaron Stevens, and avoid the forfeiture of certain of his estates, and for other purposes therein mentioned.

Bills reserved.

The Titles of the following Bills were then read:--

Church of England
Society Bill (L.C.).

An Act to provide for the establishment of a Church Society of the United Church of England and Ireland, in each Diocese of that Church in Lower Canada, and for other purposes connected with the recent division of the Diocese of Quebec.

Montreal Diocese
Temporalities
Bill.

An Act to make provision for the management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other purposes therein mentioned.

Bill relating
to Rectories.

An Act to repeal so much of the Act of the Parliament of Great Britain, passed in the thirty-first year of the Reign of King George the Third, and chaptered thirty-one, as relates to Rectories and the presentation of Incumbents to the same, and for other purposes connected with such Rectories.

Bill to reduce
certain Salaries.

An Act to reduce the Salaries attached to certain Judicial Offices, in the cases therein mentioned, and to fix the Salaries of the Speakers of the Legislative Council and of the Legislative Assembly.

Civil List Act
Amendment Bill.

An Act to amend the Act for granting a Civil List to Her Majesty.

Fort Erie and
Buffalo Suspension
Bridge Bill.

An Act to incorporate the Fort Erie and Buffalo Suspension Bridge and Tunnel Company.

To each of which it was His Excellency the Governor General's pleasure to say, that he reserved the Bill for the signification of Her Majesty's pleasure thereon.

Speaker's Address
to His Excellency.

Then the Honorable the Speaker of the Legislative Assembly addressed His Excellency the Governor General, as followeth:--

May it please Your Excellency,

In the name of Her Majesty's faithful Commons of Canada, I beg to present, for Your Excellency's acceptance, three Bills passed during the present Session.

The purport of one of them is to grant the Supplies required for the Public Service during the current year, and which having been cheerfully voted, will no doubt be applied properly.

The others being intended to forward the construction of a main Trunk Line of Railway throughout the length of the Province, and being intimately connected with the future advancement and prosperity of the Country, will, no doubt, be considered by Your Excellency as deserving equal favor with all the branches of the Legislature of Canada.

Royal Assent
to Money Bills.

The Honorable the Speaker of the Legislative Assembly then presented the following Money Bills:--

Supply Bill.

An Act for granting to Her Majesty certain sums required for defraying certain Expenses of the Civil Government for the year 1851, and certain other Expenses connected with the Public Service.

The Province
Railway Bill.

An Act to make provision for the construction of a main Trunk Line of Railway throughout the length of this Province.

The Province
Railway Loan Bill.

An Act for raising by way of Loan, a sum not exceeding Four millions of pounds, currency, for making a main Trunk Line of Railway throughout the length of this Province.

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To the first of which Bills, the Royal Assent was signified in the following words:--

"In Her Majesty's name, His Excellency the Governor General thanks Her loyal subjects, accepts their benevolence, and assents to this Bill."

And to the two others, the Royal Assent was signified in the following words:--

"In Her Majesty's Name, His Excellency the Governor General doth assent to this Bill."

His Excellency's
Speech.

After which, His Excellency the Governor General was pleased to make the following Speech to both Houses:--

Honorable Gentlemen of the Legislative Council:
Gentlemen of the Legislative Assembly.

I thank you for the diligence with which you have performed your laborious duties during this protracted Session, and I trust that the Province will derive benefit from the many important enactments which you have passed.

The grants which you have made for the erection of Light Houses, and for other improvements in the navigation of the St. Lawrence, and the relief which you have afforded to Shipping by the remission of Light Dues, and the reduction of the Emigrant Tax, will no doubt prove advantageous to the trade of the Province. It is highly satisfactory that the favorable state of the Revenue should have enabled you to adopt these measures.

The measures which you have matured with much care and deliberation for the encouragement of Railway enterprize, will, I trust, be productive of very beneficial results to the Province at large, by attracting trade, enhancing the value of property, promoting the settlement of the Country, and leading to increased intercourse between the Sister Colonies.

Gentlemen of the Legislative Assembly,

I thank you for the readiness with which you have granted the Supplies necessary for the Public Service.

Honorable Gentlemen, and Gentlemen,

The satisfactory condition of the Provincial Revenue and Credit--the progress of public improvements--the creditable appearance of Canadian Industry at the Exhibition of the Works of Industry of all Nations,--and the harmony with which the three branches of the Legislature co-operate for the public good, have attracted much attention to the Province, and removed prejudices and misgivings engendered by years of disquiet. At the close of the Parliament, I feel that I am entitled to congratulate you on the share which you have had in bringing about these gratifying results. It is my firm resolution to continue to administer the Government

in conformity with the wishes of the People of the Province as expressed through the local Parliament, believing that this course of proceeding on my part is best calculated to secure contentment and peace, which are the foundations of national prosperity; and trusting that the religious principles and good sense of the People of the Province will induce them to eschew violent and extreme measures, to cultivate habitual respect for law and the rights of property, and to cherish towards each other feelings of mutual kindness and good will.

Then the Honorable the Speaker of the Legislative Council said:--

*Honorable Gentlemen of the Legislative Council,
and Gentlemen of the Legislative Assembly,*

Parliament
Prorogued.

It is His Excellency the Governor General's will and pleasure that this Provincial Parliament be prorogued until Wednesday the eighth day of October next, to be then here holden; and this Provincial Parliament is accordingly prorogued until Wednesday the eighth day of October next.

APPENDIX: 30 AUGUST 1851.

[QUESTION AND ANSWER RE: CROWN LAND DEPARTMENT.]²⁷

MR. H. SHERWOOD asked if it was the intention of the Ministry to remove the Upper Canada branch of the Crown Land Department to Quebec.²⁸

MR. COM. CR. LANDS PRICE said the matter had been under the consideration of the Government, but no decision had been arrived at. It would be again brought up for final decision at an early day.²⁹

MR. H. SHERWOOD said he put the question, there not being time for the motion of which he had given notice.³⁰

FOOTNOTES: 30 AUGUST 1851.

1. GLOBE, 2 September 1851, BRITISH COLONIST, 2 September 1851, HAMILTON SPECTATOR, 3 September 1851, MONTREAL GAZETTE, 4 September 1851, and NORTH AMERICAN, 5 September 1851, reported in identical accounts that "the House met at ten o'clock a.m."
2. The following papers reported the debate on this matter in identical accounts: GLOBE, 2 September 1851, BRITISH COLONIST, 2 September 1851, HAMILTON SPECTATOR, 3 September 1851, MONTREAL GAZETTE, 4 September 1851, and NORTH AMERICAN, 5 September 1851. Commentaries appeared in: BRITISH WHIG, 1 September 1851, MONTREAL TRANSCRIPT, 2 September 1851; and BRITISH COLONIST, 2 September 1851.
3. GLOBE, 2 September 1851.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
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17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. The following papers reported the debate on this matter in identical accounts: GLOBE, 2 September 1851, BRITISH COLONIST, 2 September 1851, HAMILTON SPECTATOR, 3 September 1851, MONTREAL GAZETTE, 4 September 1851, and NORTH AMERICAN, 5 September 1851. BRITISH WHIG, 1 September 1851, and MONTREAL TRANSCRIPT, 2 September 1851, commented in identical accounts that on the motion to submit the Rectory Bill for Her Majesty's Assent, "the uproar and confusion was [sic] indescribable." BRITISH COLONIST, 2 September 1851, remarked on this subject that: "We do not think it necessary to make much comment on these scenes, as they will speak for themselves in the estimation of the people. But we do think it would be hard to find a match in the Mississippi Legislature, or that of any other of the Southern States."
23. GLOBE, 2 September 1851.
24. IBID.
25. IBID.
26. GLOBE, 2 September 1851. This reference to Mr. Smith's speech was reported in identical accounts by: GLOBE, 2 September 1851, BRITISH COLONIST, 2 September 1851, HAMILTON SPECTATOR, 3 September 1851, MONTREAL GAZETTE, 4 September 1851, and NORTH AMERICAN, 5 September 1851.
27. The following papers reported this question in identical accounts: GLOBE, 2 September 1851, BRITISH COLONIST, 2 September 1851, HAMILTON SPECTATOR, 3 September 1851, MONTREAL GAZETTE, 4 September 1851, and NORTH AMERICAN, 5 September 1851.
28. GLOBE, 2 September 1851.
29. IBID.
30. IBID.

INDEX

INTRODUCTION

The following Index is divided into two sections: proper names and subjects. The proper name Index is limited to the names of the men who sat in the Canadian Assembly in 1851. This Index therefore excludes the names of all other persons, such as people mentioned in debates, witnesses testifying before the House in Committee of the Whole, or Messengers such as Félix Fortier, Clerk of the Crown in Chancery, who at one time or another addressed the House from within the Bar. It also excludes the names of people merely mentioned in the House, such as those whose testimony before Select Committees was reported or referred to in the JOURNALS, and signatories to Petitions presented whose names are noted in connection with various kinds of legislation.

The decision to limit this section of the Index to members of the Assembly was made necessary by the fact that in 1851 the other names number in the thousands, so that their sheer bulk makes it impossible to include them. In addition, every piece of legislation or testimony with which these names are associated is always indexed under subject references. To summarize, the proper name Index refers to every occasion when a member proposed or seconded a motion or resolution, or brought up a petition; it refers to every speech he delivered during debates, and to every other time he addressed the House or took the chair of the House in Committee of the Whole. Only individual votes are excluded because divisions rightfully belong with the legislation they pertain to, and all legislation is included in the subject Index.

The subject Index is based on the Index to the JOURNALS. However, it has been modified, corrected and expanded to render it more useful and complete. In particular, the subjects of all the legislative events reported in the daily Appendices are included in the Index. This Index provides more than a subject analysis of parliamentary events. It also indicates the passage of each particular item through the various stages of the legislative process. It is thus a parliamentary subject Index.

The entries in this Index contain double sets of numbers whenever this is appropriate. One set is contained within parentheses, the other is not. All numbers within parentheses refer to pages in the JOURNALS. All other numbers refer to pages in this Volume. When something is mentioned in the JOURNALS it will be indexed with a double reference. Subjects mentioned only in reconstructed material will be indicated by a single page number.

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A.

ABSENCE, LEAVE OF:--Vide Members.

ACCOUNTS AND PAPERS:--Laid before the House, relative to:

1. Acts of Parliament:--Despatch from Colonial Secretary communicating certain Resolutions of the Imperial Parliament on the subject of engrossing Acts of Parliament. Ordered by Message. Presented, (125) 620-621. Printed, (135) 671.
2. Agricultural Societies:--Report of Agricultural Societies for 1850. Ordered by Mr. Speaker. Presented, (45) 195, (90) 435. Certain of the Reports referred, (112) 538. Vide Agricultural Societies.

Assurance Companies:

3. Statement of the affairs of the British America Fire and Life Assurance Company. Ordered by Act, (42) 175. Presented, (75) 356. To be printed, under direction of the Printing Committee, (144) 729.
4. Statement of the affairs of the Kingston Fire and Marine Assurance Company. Ordered by Act, (42) 175. Presented, (75) 356. To be printed, under direction of the Printing Committee, (144) 729.
5. Statement of the affairs of the Montreal Assurance Company. Ordered by Act, (42) 175. Presented, (93) 456. To be printed, under direction of the Printing Committee, (144) 729.
6. Statement of the affairs of the Canada Life Assurance Company. Ordered by Act, (42) 175. Presented, (107) 518. To be printed, under direction of the Printing Committee, (144) 729.
7. Statement of the affairs of the St. Lawrence Inland Marine Assurance Company. Ordered by Act, (42) 175. Presented, (128) 636. To be printed, under direction of the Printing Committee, (144) 729.

Banks:

8. Statement of the affairs of the Quebec Provident and Savings Bank. Ordered by Act, (42) 175. Presented, (45) 195. To be printed, under direction of the Printing Committee, (144) 729.
9. Statement of the affairs of the Montreal Bank. Ordered by Act, (42) 175. Presented, (75) 356. To be printed, under direction of the Printing Committee, (144) 729.
10. Statement of the affairs of the Commercial Bank of Midland District. Ordered by Act, (42) 175. Presented, (75) 356. To be printed, under direction of the Printing Committee, (144) 729.
11. Statement of the affairs of the Quebec Bank. Ordered by Act, (42) 175. Presented, (75) 356. To be printed, under direction of the Printing Committee, (144) 729.
12. Statement of the affairs of the Banque du Peuple. Ordered by Act, (42) 175. Presented, (75) 356. To be printed, under direction of the Printing Committee, (144) 729.
13. Statement of the affairs of the Montreal City and District Savings Bank. Ordered by Act, (42) 175. Presented, (75) 356. To be printed, under direction of the Printing Committee, (144) 729.
14. Statement of the affairs of the Montreal Provident and Savings Bank. Ordered by Act, (42) 175. Presented, (75) 356. To be printed, under direction of the Printing Committee, (144) 729.

15. Statement of the affairs of the Upper Canada Bank. Ordered by Act, (42) 175. Presented, (81) 404. To be printed, under direction of the Printing Committee, (144) 729.
 16. Statement of the affairs of the City Bank of Montreal. Ordered by Act, (42) 175. Presented, (90) 435. To be printed, under direction of the Printing Committee, (144) 729.
 17. Statement of the affairs of the Bank of British North America, Canadian Branches. Ordered by Act, (42) 175. Presented, (101) 480. To be printed, under direction of the Printing Committee, (144) 729.
 18. Statement of the affairs of the Gore Bank. Ordered by Act, (42) 175. Presented, (103) 488. To be printed, under direction of the Printing Committee, (144) 729.
 19. Statement of the affairs of the Hamilton and Gore District Savings Bank. Ordered by Act, (42) 175. Presented, (165) 878. To be printed, under direction of the Printing Committee, (144) 729.
 20. Bishopricks:--Copies of Letters Patent establishing the Protestant Bishopricks of Quebec, Montreal, and Toronto, and of those in favor of the Roman Catholic Archbishop of Quebec and Bishop of Montreal. Ordered by Address, (186) 973. Presented, (197) 1042. Printed, (198) 1042.
 21. Blue Books:--The Blue Books for the years 1848, 1849, and 1850. Ordered by Command of His Excellency. Presented, (38) 153.
 22. Bonds and Securities:--Return of Bonds and Securities recorded. Ordered by Command of His Excellency. Presented, (18) 66.
 23. Brantford and Buffalo Railroad Company:--Copy of Instrument registered by the joint stock company formed for the construction of a Railway from Brantford to Fort Erie (opposite Buffalo). Ordered by Address, (85) 416. Presented, (112) 539. Printed, (137) 695.
 24. British Connexion:--Despatch in reply to Address of last Session expressive of loyalty to Her Majesty, and a determination to maintain the connexion with Great Britain. Ordered by Message. Presented, (23) 103. Printed, (31) 118.
 25. Census:--Return of the census of such parishes, towns, and cities, in Lower Canada, as have sent in their Rolls. Ordered by Address, (91-92) 437. Presented; Printed, (117) 571-572.
 26. Champlain and St. Lawrence Railroad Company:--Statement of the affairs of the Champlain and St. Lawrence Railroad Company. Ordered by Act. Presented, (90) 435.
 27. Civil List:--Despatch from His Excellency communicating a Report of the Executive Council relative to the income and expenditure of the Province, and recommending certain reductions in the Civil List; and a Despatch from the Colonial Secretary in reply. Ordered by Message. Presented, (23-26) 103-108. Printed, (31) 118. Referred to the Committee of the whole on the Civil List, (112) 539.
- Clergy Reserves:
28. Despatch in reply to the Address of last Session, praying for authority to the Legislature to dispose of the proceeds of the Clergy Reserves. Ordered by Message. Presented; Printed, (31) 117-118.
 29. Return of Receipts and Expenditure of Clergy Reserve funds in Upper and Lower Canada since last Return, shewing the amounts paid to Ministers of various denominations, &c. Ordered by Address, (53) 229. Presented, (136) 673. To be printed, under direction of the Printing Committee, (144) 729.

30. Despatch announcing the postponement till next Session of the introduction into the Imperial Parliament of a Bill to empower the Provincial Legislature to alter the existing arrangements relative to the Clergy Reserves. Ordered by Message. Presented; Printed, (231) 1194-1195.
31. Despatch in reply to Address to Her Majesty, of last Session, relative to the Clergy Reserves. Ordered by Message. Presented; Printed, (303) 1500-1501.
32. Clerks of Crown and Pleas:--Return shewing what portion of the Fees received by Clerks of Crown and Pleas in the Courts of Queen's Bench and Common Pleas for and since 1850, under 12 Vic. cap. 63, was derived from the Court of Common Pleas. Ordered by Address, (86) 418-419. Presented, (165-167) 879-883.
33. Copy-right Works:--Copy of the printed lists furnished to Collectors of Customs, of Books respecting which notice has been given by the proprietors, under Imperial Act 8 & 9 Vic., cap. 93, s. 9. Ordered by Address of last Session. Presented, (152) 760.
34. Craig's Road:--Report of the Inspector of the Queen's Domain at Quebec, relative to that part of the said road, through the Parish of St. Nicholas, which the inhabitants of the Parish of St. Giles are required to keep in order. Ordered by Address, (186) 973. Presented, (206) 1098. Printed, (209) 1115.

Currency:

35. Despatch disallowing the Act of last Session for amending the Currency Act. Ordered by Message. Presented, (201) 1058. Printed, (202) 1059.
36. Correspondence between the Imperial and Colonial Governments, relative to the Act of last Session for altering the rates of certain silver coins, and the Act to establish freedom of Banking. Ordered by Message. Presented, (201-202) 1058. Printed, (202) 1059.
37. Customs Department, Montreal:--Statement of persons employed in the Customs Department, Montreal, in 1848, 1849, and 1850, with their salaries before and since the transfer of Department to the Provincial Government. Ordered by Address, (66) 300. Presented, (79) 384.
38. Debt, Public:--Statements relating to the Public Debt, to 31 Jan., 1851. Ordered by Command of His Excellency. Presented, (38) 153. Printed, (52) 226-227.
39. Debtors:--Return of persons confined for debt in Upper Canada, and of persons on bail in civil cases, on the gaol limits of the different cases. Ordered by Address, (47) 201. Presented, (145) 731. To be printed, under direction of the Printing Committee, (145) 732. Referred to Committee of whole on Bills to abolish Imprisonment for Debt, (177) 931.
40. Division Courts:--Return of the Judges of Division Courts and their salaries, with the fees and fines raised therein. Ordered by Address, (42) 175. Presented, (138) 698. To be printed, under direction of the Printing Committee, (144) 729.

Education:

41. Report of Superintendent of Education for Lower Canada for 1849-50. Ordered by Mr. Speaker. Presented, (142) 725. Printed, (160) 827.
42. Report of Superintendent for Upper Canada, on the Normal, Model, and Common Schools. Ordered by Command of His Excellency. Presented; To be printed, under superintendence of the Printing Committee, and a copy furnished to each Municipal Council, Local Superintendent, Board of Instruction, and School Corporation, (208) 1109. Vide also Accounts and Papers, 61, 101.

Estimates:

43. Estimates for the service of the Civil Government for 1851. Ordered by Message. Presented, (108) 524. Referred to Committee of Supply, (119) 583.
44. Supplementary estimates for the service of the Civil Government for 1851.

Ordered by Message. Presented, (240) 1237, 1238. Referred to Committee of Supply, (119) 583.

45. Fee Fund:--Return of the General Fee Fund. Ordered by Address, (42) 175. Presented, (138) 698. To be printed, under direction of the Printing Committee, (144) 729.

46. Guelph and Arthur Road Company:--Statement of the affairs of the Guelph and Arthur Road Company. Ordered by Act. Presented, (75) 356.

Halifax and Quebec Railway:

47. Despatch from Colonial Secretary relative to the Halifax and Quebec Railway. Ordered by Message. Presented; Printed; Referred to Committee on Railroads, (64) 292.
48. Correspondence between His Excellency and the Imperial Government, relative to the Act of this Legislature, incorporating a Company to construct the Halifax and Quebec Railway. Ordered by Address, (185) 971-972. Presented, (203) 1078. Printed, (231) 1195. Supplementary Return. Presented; Printed, (228) 1187.
49. Despatch from Administrator of the Government of Nova Scotia, enclosing copy of Hon. Mr. Howe's Report of the proceedings of the Delegates to Canada relative to the Halifax and Quebec Railway. Ordered by Message. Presented; Printed, (256-259) 1307-1311.

Hudson's Bay Company:

50. Correspondence and documents relative to the lease of the King's Posts granted to the Hudson's Bay Company,--and alleged infringements thereof by the granting of timber licences to lumberers. Ordered by Address, (42) 174. Presented, (62-64) 288-291. Printed, (191) 997.
51. Supplementary Return, relative to the leases granted to the Hudson's Bay Company. Ordered by Address, (42) 174. Presented; Printed, (250) 1277.
52. Indian Annuities:--Particulars of the payment of the Indian Annuities, and of the sum of £4,200 distributed among the Indians on Lake Superior through W.B. Robinson, Esq. Ordered by Address, (42) 176. Presented, (138) 698. To be printed, under direction of the Printing Committee, (144) 729.
53. Industrial Exhibition:--First Report of the Commissioners appointed to represent Canada at the Great Exhibition in London. Ordered by Command of His Excellency. Presented; Printed, (291) 1430.
54. Land Scrip:--Return of all persons to whom Land Scrip has been issued since 1841; and of those entitled to receive scrip. Ordered by Address of last Session. Presented; Not to be printed in the Appendix, (50) 217-219. To be printed in such form as the Printing Committee shall direct, (58) 259.

Library:

55. Report from the Librarian on the state of the Library. Ordered by Mr. Speaker. Presented, (10-15) 47-59.
56. Letters from the Librarian of the United States Congress,--Executive Department of Vermont,--and Clerk of the Legislative Council of Nova Scotia,--accompanying donations of Journals, Statutes, Reports, and Public Documents, for the Library. Ordered by Mr. Speaker. Presented, (15-17) 59-62.
57. Loans:--Report of Executive Council in reference to the negotiation of future loans for extending the aid of the Province to Railroad Companies. Ordered by Address, (227) 1183. Presented, (230-231) 1193-1194. Printed, (250) 1277. Referred to Committee of the whole on the construction of a main trunk of Railway, (259) 1312.

Lunatic Asylum, Toronto:

58. Report of the Directors of the Asylum for 1850. Ordered by Command of His Excellency. Presented, (6) 20.

59. Copy of Petition of John Coppins to the Board of Directors complaining of mismanagement in the Asylum, and documents connected therewith; Return of Patients received and the number of deaths; and of Servants resigned or dismissed, since the commencement of the Institution. Ordered by Address, (116) 561. Presented, (138) 699. Printed, (139) 705, (168) 886-887. Motion, to refer papers, negatived on division, (164) 856.
 60. Return of inquests held at the Asylum from the commencement,--with evidence taken at that held on the body of Mrs. Gilbert. Ordered by Address, (153) 768. Presented, (167) 884-885. Notice of Motion, for printing said Return, 870.
 61. Return shewing the interest payable on debentures issued on account of the Asylum, and the Normal School at Toronto. Ordered by Address, (116) 561. Presented, (239) 1235-1236.
 62. Minute of Proceedings of the Board of Trustees of the Asylum, in relation to the charges against Mr. Ramsay, the late Steward, and his resignation. Ordered by Address, (201) 1058. Presented, (239) 1236-1237.
 63. Medical Board, Toronto:--Return of Medical gentlemen constituting the several Boards of Examiners of the Toronto Medical Board since last Session,--and of persons examined and passed by them;--with the proceedings at the last sitting of the Board. Ordered by Addresses, (44) 184, (67) 303. Presented, (83-85) 411-415. Printed, (112) 539.
 64. Mining Licenses:--Return of licenses issued for mining on Lakes Huron and Superior,--and copy of the treaty under which the lands included in such licenses were ceded by the Indians. Ordered by Address, (54) 230. Presented; Printed, (85) 415.
 65. Montreal and Lachine Railroad Company:--Statement of the affairs of the Montreal and Lachine Railroad Company. Ordered by Act. Presented, (75) 356.
 66. Montreal Firemen's Benevolent Association:--Statement of the Funds of the Montreal Firemen's Benevolent Association. Ordered by Act. Presented, (75) 356.
 67. Montreal Mechanics' Institute:--Statement of the Property of the Montreal Mechanics' Institute. Ordered by Mr. Speaker. Presented, (75) 356.
 68. Montreal Provident and Savings Bank:--Report of the Commissioners appointed to inquire into the affairs of the Montreal Provident and Savings Bank. Ordered by Address, (153) 764. Presented; Motion, to print Report; Amendment, for referring it to the Printing Committee, to report as to the expediency and expense of printing it, negatived on division; Main motion agreed to; Printed, (161) 829-831.
 69. Montreal Trinity House:--Accounts of the Montreal Trinity House for 1850. Ordered by Mr. Speaker. Presented, (22) 101.
 70. Montreal Turnpike Roads:--Accounts of Trustees of the Montreal Turnpike Roads for 1850. Ordered by Mr. Speaker. Presented, (22) 101.
 71. Morrison, Alexander:--Documents and Correspondence (since last Session) relative to Alexander Morrison's claim for compensation for loss sustained by him from the issuing of two deeds for the same lot in the township of Niagara. Ordered by Address, (44) 183. Presented, (69) 317. Printed, (80) 384.
 72. Ottawa, River:--Supplementary Return of expenditure on the Ottawa Works, and persons employed in collecting Timber Duties, &c. on River Ottawa. Ordered by Address of last Session. Presented, (132) 663. Vide Accounts and Papers, 106.
- Penitentiary, Provincial:
73. Reports and Accounts of the Provincial Penitentiary for 1850. Ordered by Command of His Excellency. Presented, (105) 492.

74. Report of the Roman Catholic Chaplain, and Correspondence between him and the Inspectors in 1850 and 1851. Ordered by Address, (185) 972. Presented, (211) 1127.
 75. Police:--Copy of Instruments, under Ordinance 2 Vic., cap. 2, extending the word "Cities" to neighboring Districts for the purposes of Police; and copy of the commissions appointing Messrs. McCord and Ermatinger Inspectors and Superintendents of Police at Quebec and Montreal. Ordered by Address, (186) 973. Presented, (203) 1078.
 76. Port Hope Harbour:--Copies of Memorials, Correspondence, Reports, &c., relative to the survey of the harbour, the assumption of the same by the Government, &c.,--with a statement of the Loan from the Government to the Harbour Co., and the amounts paid and yet due thereon. Ordered by Address of 1849. Presented, (115-116) 558. Printed, (137) 694.
- Post Office:
77. Return of the various post-offices and post-masters, with the Instructions for their guidance,--Gross Revenue and Expenditure in 1850,--Clerks, &c., employed in the General Office,--Copy of Agreement with United States for reciprocal postage,--and information respecting Mail Contracts. Ordered by Address, (64-65) 293-298. Presented, (123) 603. To be printed, under direction of the Printing Committee, (144) 727.
 78. Statement of net revenue of the Post Office since 5th July, 1844, with the application thereof, and copy of a Despatch directing the same to be applied to the public uses of the Province; also, a Statement respecting the present mail contracts. Ordered by Address, (159) 810-811. Presented; Printed, (180-181) 942-943.
 79. Prince Edward Island:--Communication from the Government of Prince Edward Island, transmitting copies of a Report and Address of the Assembly, relative to erecting Light Houses at the North Cape and East Point of that Island. Ordered by Message. Presented, (126) 621-623.
 80. Public Accounts:--Public Accounts for 1851. Ordered by Command of His Excellency. Presented, (21) 91. Referred, (80) 387. Vide Accounts and Papers, 43, 44; Public Accounts.
 81. Public Money:--Statement of cash at the credit of the Government in the various Banking Institutions, and with the Agents who transact the business of the Province in England. Ordered by Address, (42) 175. Presented, (68) 315, 316. Printed, (144) 727, 729.
- Public Works:
82. Report of Commissioners of Public Works, to June, 1851. Ordered by Act. Presented, (79) 384. Supplementary Report. Presented, (240) 1237, 1238.
 83. Return of Arbitrators appointed to appraise damages caused by construction of public works, with their expenses, list of claims allowed, &c. Ordered by Address, (47) 202. Presented, (115) 557-558.
 84. Return of Roads, Bridges, Dams, Slides, and Harbours, in possession of Government during and since 1849, with the receipts and expenses connected with each,--also particulars and correspondence relative to the sale of certain of the works. Ordered by Address, (21) 81. Presented, (117) 570-571. Printed; Motion, to refer so much thereof as relates to the sale of the York Roads, negatived on division, (202-203) 1070.
 85. Return of the several Companies formed under Acts 13 Vic., cap. 56 and 84, to construct Roads and other works. Ordered by Address, (54) 231. Presented; Printed, (171) 899-900.
 86. Quebec Fire Loans:--Return shewing the parties in arrear for principal or interest of the Quebec Fire loans,--total amount received for the same by the

- Government,--amount of loss from parties becoming insolvent,--and particulars relative to securities, and expense of management, &c. Ordered by Address, (65) 299. Presented, (212-213) 1132. Printed, (213) 1134.
87. Quebec Marine and Emigrant Hospital:--Correspondence relative to the management of the Quebec Marine and Emigrant Hospital. Ordered by Address, (136) 675. Presented; Printed, (171) 899.
88. Quebec Market-place:--Correspondence relative to the enlargement of the Quebec Lower Town Market-place. Ordered by Address of last Session. Presented, (68) 317.
89. Quebec Trinity House:--Accounts of the Quebec Trinity House for 1850. Ordered by Mr. Speaker. Presented, (19) 78. Printed, (20) 81.
90. Quebec Turnpike Roads:--Return shewing a Debtor and Creditor Account between the Commissioners of the Quebec Turnpike Roads and the Government, from the commencement of Jan. 1851. Ordered by Address, (185) 972. Presented, (213) 1132. Printed, (213) 1134.
- Railways:
91. Correspondence between the Board of Works and the Great Western and Ontario and Huron Railroad Companies, relative to application for Government aid under the Railway Guarantee Act. Ordered by Address, (50) 220. Presented; Referred to Committee on Railroads, (55) 239-241.
92. Information in possession of the Government, and Proceedings in Council thereon, relative to the proper gauge to be adopted for Railroads to be constructed in Canada. Ordered by Address, (186) 972. Presented; Printed, (208) 1109. Vide Accounts and Papers, 57.
93. Rectories:--List of Rectories established during the last 16 years, and of Rectors presented thereto, with the subsequent changes. Ordered by Address, (38) 160. Presented, (68) 315, 317. Printed, (105) 491.
94. Registrars:--Return of the several Registrars in Upper Canada, with their emoluments for 1850. Ordered by Address, (33) 126. Presented; Printed, (171) 900.
95. Religious Denominations, Grants to:--Return of moneys paid and lands granted, to Religious Denominations or Ministers, from 1814 to 1840. Ordered by Address of last Session. Presented, (145) 731-732. To be printed, under direction of the Printing Committee, (145) 732.
96. Roebuck, John Arthur:--Correspondence between the Imperial and Colonial Governments relative to the claim of John A. Roebuck. Ordered by Address, (185) 972. Presented; Printed, (197) 1041-1042.
97. St. Laurent, L'Academie Industrielle de:--Report of the Corporation of L'Academie Industrielle de St. Laurent. Ordered by Act. Presented, (75) 356.
98. St. Laurent, Soeurs de Ste. Croix de:--Report of the Corporation of the Soeurs de Ste. Croix de St. Laurent. Ordered by Act. Presented, (75) 356.
99. St. Lawrence and Industry Railroad Company:--Statement of the affairs of the St. Lawrence and Industry Railroad Company. Ordered by Act. Presented, (75) 356.
100. St. Maurice, River:--Copies of the Field Books and other documents mentioned in the Reports of the scaling of the river St. Maurice by Messrs. Legendre and Bignell. Ordered by Address, (77) 360. Presented, (227) 1182. Supplementary Return. Presented, (301) 1492. Both printed, (302) 1499.
101. School Houses:--Return of moneys advanced by the Superintendent of Education for building and repairing school houses in Lower Canada. Ordered by Address, (66) 299. Presented, (108) 524. Printed, (112) 539.
102. Seigniorial Tenure:--Return of commutations effected within the Censives of Quebec,--of the Jesuits' Estates in Districts of Quebec, Montreal, and Three Rivers,--and of the Seignior of Lauzon, since 1st May, 1850. Ordered by Command of His Excellency. Presented, (112) 538-539.

103. Statutes:--Return of the printing and distribution of the Statutes of last Session. Ordered by Mr. Speaker. Presented, (19) 78.
104. Stipendiary Magistrates:--Return of all Stipendiary Magistrates appointed by the Government, with the amount of their salaries &c. Ordered by Address, (77) 360. Presented; Printed, (132) 662-663.
105. Territorial Divisions:--Return of the names, extent, and population of the townships to be included within each of the Counties proposed to be formed by the Territorial Divisions Bill now before the House. Ordered by Address, (53) 230. Presented; Printed, (55) 241.

Timber:

106. Return of licenses granted, for 1847, 1848, and 1849, to cut timber on the Ottawa and its tributaries,--and of deposit money paid thereon, and timber cut; and copies of all Instructions for the granting of timber licenses on the Ottawa. Ordered by Address of 1849. Presented; Printed, (64) 291-292.
107. Account of Timber duties collected in the County of Peterborough, in 1849, 1850, and 1851, with the description of timber cut. Ordered by Address, (33) 126. Presented, (227) 1182-1183.
108. Accounts of Supervisor of Cullers at Quebec for 1850. Ordered by Mr. Speaker. Presented; Printed, (320) 1554, 1555.
109. Despatch in reply to Joint Address of the present Session, against the repeal of the duties on foreign timber imported into Great Britain. Ordered by Joint Address, (35) 128-132. Presented; Printed, (333) 1598-1599. Vide Accounts and Papers, 72.
110. Toronto Hospital:--Statement of the affairs of the Toronto Hospital. Ordered by Act. Presented, (75) 356.
111. Toronto Mechanics' Institute:--Statement of property of the Toronto Mechanics' Institute. Ordered by Mr. Speaker. Presented, (45) 195.
112. Trade Returns:--Tables of the Trade and Navigation of the Province for 1850. Ordered by Command of His Excellency. Presented, (95) 460-461.

University of Toronto:

113. Report of the Commissioners appointed to inquire into the affairs of King's College (University of Toronto) and Upper Canada College. Ordered by Address, (206) 1098. Presented, (211) 1127. Printed, under superintendence of Printing Committee, (227) 1184. Motion, that it be printed in English only, for the Journals, negatived on division, (250) 1277.
114. Reports made by the Endowment Board of the University of Toronto, and of Upper Canada College, and by the Auditors thereof; and annual Reports made by the Principal of Upper Canada College. Ordered by Address, (85) 416. Presented; Printed, (228) 1187.

-----Resolution, That all Documents presented to the House be referred to the Committee on Printing, that they may report on the expediency of printing the same in the Appendix, with an estimate of the cost thereof, (59) 261. Vide Printing.

-----Members appointed to present Addresses for certain Accounts and Papers, report that His Excellency will direct that the same be laid before the House, (59) 264, (91) 436, (105) 492, (141) 713, (165) 879, (208) 1109, (208-209) 1109.

ACTIONS:--Bill to amend the law in Lower Canada, as regards the District in which real or mixed actions may be commenced; Presented and read, (19) 72. Read second time; Committed, (35-36) 134. Postponed, (45) 186-187, (88) 422. Considered; Reported; To be engrossed, (96) 462. Passed, (107) 512. Returned from the Council, with amendments, (241) 1242. Considered and agreed

to, (245) 1259. Royal Assent, (359) 1668. [14 & 15 Vic., c. 60.]
-----Bill to simplify the proceedings in civil actions in Upper Canada; Presented and read, (73) 346. Read second time; Referred, (214) 1135.

ACTS OF PARLIAMENT:--Vide Accounts and Papers, 1; Governor General, Messages from His Excellency, 5; Statutes, Provincial.

ADDRESSES, TO HER MAJESTY:--Relative to:

1. Navigation Acts:--Praying Her Majesty to extend the same support to a line of steamers from Liverpool to Quebec, as is now extended to the steamers running between Liverpool and New York; Notice of Motion, 94. Postponed Motion, 209, 308-309. Resolution to be contained in Address, committed, (85-86) 416-418. Consideration thereof, postponed, (124) 617, (170) 892, (179) 934-935. Considered, (229) 1187-1188. Further considered, and no report made, (232) 1197-1203.
 2. Timber:--Praying that the present duties on foreign timber imported into Great Britain may be continued, and no reduction be made therein without sufficient notice; To be engrossed; Communicated to the Council, (35) 128-132. Concurred in; Address to His Excellency to transmit the same; From the Council; Agreed to, (38) 153. Message from Council; His Excellency appoints to be attended, (49-50) 216. Members of the Executive Council to wait on His Excellency, (50) 216. Answer, (53) 228. Conference with the Council desired relative to Message of yesterday; Committee appointed to draw up Reasons for desiring the same, (53) 228. Message to be sent to Council, (58) 259. Vide Accounts and Papers, 109; Conferences.
 3. Protective Tariff:--Praying Her Majesty to continue the advantages retained by the Colonies in the British markets, and to restore that protection to Canadian products which was formerly enjoyed by them; Notice of Motion, 163. Motion; Debate thereon adjourned, (73) 339-344.
 4. Quebec:--Praying for an amendment to the Act enabling Her Majesty to direct the issue of debentures to a limited amount, and for giving relief to the City of Quebec; Notice of Motion, 221.
- Clergy Reserves:
5. Thanking Her Majesty for her gracious reception of the Address of last Session on the Clergy Reserves, and for the assurance that it should be acceded to; Notice of Motion, 374. Motion; Debate thereon adjourned, (105-106) 493-509. Debate resumed; Select Committee appointed to draft Address; Reported and agreed to; To be engrossed; Address to His Excellency, praying him to transmit the same, (128-130) 637-653. Answer, (141) 713.
 6. That it is inexpedient to disburse existing appropriations of the Clergy Reserves, but praying that one half the annual fund be apportioned among those Christian Bodies hitherto unprovided for; Motion; negated on division, (128) 637-647.
 7. Praying that the existing arrangements relative to the Clergy Reserves may remain undisturbed; Motion, negated on division, (129) 647-650.
 8. Praying that the Clergy Reserves be diverted from all ecclesiastical purposes, and applied to a general system of Education, the Reserves having been already diverted from the purpose for which they were originally bestowed; Motion, negated on division, (129) 651-652.
 9. Seigniorial Tenure:--Praying Her Majesty to recommend to Parliament the repeal of such provisions of the Canada Trade Act and Canada Tenures Act, as relate to the commutation of lands held à titre de fief in Lower Canada; Ordered, (349-350) 1642-1643. Reported; To be engrossed; Address to His Excellency to transmit the same; Ordered; Members of Executive Council to present Addresses, (354-355) 1654-1655.

ADDRESSES, TO HIS EXCELLENCY:--Relative to:

1. Speech:--In answer to His Excellency's Speech from the Throne at the opening of the Session; Motion; Debate thereon adjourned, (3) 4-7. Order for resuming Debate, postponed, (4-5) 13-14. Notice of Motion, for amendment thereto, 17. Debate resumed, (6-7) 20-36. Committee appointed to draft Address, (8) 38. Reported, (8-9) 38-40. Read second time and agreed to; To be engrossed; To be presented by the whole House; His Excellency appoints to be attended, (9) 40-41. House waits on His Excellency with the Address; Reply, (10) 47.
2. Public Works:--For a Return of all turnpike roads, toll-bridges, mills, dams, slides, and harbours, under the control of the Government during and since 1849, with the revenue arising therefrom, and expenses; also particulars relative to the sale of any such works, and correspondence upon the subject; Notice of Motion, 10. Motion, (21) 81. Vide Accounts and Papers, 84.
3. Post Office:--For a Return of the various Post Offices; Revenue for last year, balances in arrear; information respecting mail contracts, the expenses of the General Department, postal arrangements with England and the United States, mail routes, and general regulations; Notice of Motion, 42. Motion; Postponed Motion, 94. Notice given a second time, 278. Motion; An amendment to the Address moved; Motion to adjourn debate thereon, negatived on division; Amendment carried; Address, as amended, agreed to, (64-65) 293-298. Vide Accounts and Papers, 77.
4. Court of Chancery:--For a Return of all the funds and property under the control of the Court,--how invested, and the security given,--with the names of the heirs, suitors, claimants, &c., interested therein; specifying also, what proportion of the funds were placed in Court under any rules, or decisions of the late Vice-Chancellor, Hon. R.S. Jameson; Notice of Motion, 74. Motion, (38) 157.
5. Credit Harbour:--For information relative to Credit Harbour; Notice of Motion, 74.
6. Timber:--For a Return of timber cut on Crown and Clergy Reserves in the County of Peterborough, in 1849, 1850, and 1851, and the amount collected for the same, (33) 126. Vide Accounts and Papers, 107.
7. Registrars, Upper Canada:--For a Return of their emoluments during the past year, and the dates of their respective appointments, (33) 126. Vide Accounts and Papers, 94.
8. Public Money:--For an Address for a Return of Judges of the Division Courts, their salaries, and the fees and fines raised therein; Amount of the General Fee Fund; Authority for the Pensions included in the Public Accounts; Account of expenditure of £9, 871 5s. 5d., stated (in Accounts of 1849 and 1850,) to have been paid to Thomas Harrington; Details of expenditure of £4,200, distributed by the Hon. W. Robinson, among the Indians of Lake Superior; and particulars of expenditure of £6,655 for Indian Annuities in 1850; Notices of Motion, 135. Motion; Amendment to strike out all relating to Pensions, and moneys paid to Mr. Harrington, carried; Address, as amended, agreed to, (42-43) 175-181. Vide Accounts and Papers, 40, 45, 52.
9. Public Works:--For a Return of the Arbitrators appointed to appraise the damages consequent on the construction of public works, with a list of the claims, and whether paid or unpaid; and the expenses incurred by the Arbitrators; Notice of Motion, 135. Motion, (47) 202. Vide Accounts and Papers, 83.
10. Debtors:--For a Return of persons now in close confinement for debt in Upper Canada, and of persons on bail in civil cases, upon the Gaol limits of the different Counties; Notice of Motion, 135. Motion, (47) 201-202. Vide Accounts and Papers, 39.
11. Rectories:--For a list of any Rectories established during the last 16 years, and the incumbents presented thereto, and of any deaths, removals, &c., among

- such incumbents, (38-39) 160. Vide Accounts and Papers, 93.
12. Medical Board, Toronto:--For a Return of the Medical gentlemen constituting the several Boards of Examiners thereof since last Session, and a copy of the proceedings at the last sitting of the Board; Notice of Motion, 163. Motion, (44) 184. Vide Accounts and Papers, 63.
 13. Clergy Reserves:--For a Return of the receipts and expenditure of the Clergy Reserves funds in Upper and Lower Canada since the last Returns,--shewing the amounts paid to Ministers of the various denominations, &c., &c.; Notice of Motion, 163. Motion, (53) 229. Vide Accounts and Papers, 29.
 14. Halifax and Quebec Railway:--For copies of all correspondence between His Excellency and the Imperial Government relative to the Act of this Legislature for incorporating a Company to construct the same; Notice of Motion, 163. Motion, (185) 971-972. Answer, (208-209) 1109. Vide Accounts and Papers, 48.
 15. Trinity College:--For a copy of the Charter of Trinity College, to incorporate certain persons under the name of Trinity College, and to enable them to hold real and personal property for the purposes of the said College; Notice of Motion, 164.
 16. Hudson's Bay Company:--For copies of all titles, leases, or concessions, made in favor of the Company, and now in force; and of all correspondence with the Company since 1848, (42) 174. Vide Accounts and Papers, 50, 51.
 17. Public Money:--For a Statement of the amount of cash at the credit of the Government with the various Banks, and the Provincial Agents in Europe, shewing whether interest is paid thereon, (42) 175. Vide Accounts and Papers, 81.
 18. Quebec, Exploration of:--For an exploration of the country between Quebec and Lake St. Jean, further East than that made by Messrs. Blaiklock and Duberger, (43) 182. Answer, (59-60) 264.
 19. Morrison, Alexander:--For copies of all documents and correspondence since last Session, relative to his claim for compensation for loss sustained from the issuing of two deeds for the same lot in the township of Niagara, (44) 183. Vide Accounts and Papers, 71.
 20. Mining Licenses:--For a Return of all licenses issued for mining locations on Lakes Huron and Superior; and copy of the treaty entered into with the Indians for the cession of the lands comprised in such locations; Notice of Motion, 188. Motion, (54) 230. Vide Accounts and Papers, 64.
 21. Road Companies:--For a Return of the various Companies formed under the Acts, 12 Vic., chaps. 56 and 84, authorizing the formation of Companies for the construction of roads and other works; Notice of Motion, 188. Motion, (54) 231. Vide Accounts and Papers, 85.
 22. Territorial Divisions:--For a Return shewing names, extent, and population, of the townships proposed to be included within each of the Counties proposed to be formed by the Territorial Divisions Bill for Upper Canada now before the House; Notice of Motion, 188. Motion, (53) 230. Vide Accounts and Papers, 105.
 23. Railways:--For copies of all correspondence between the Board of Works and the Railway Companies of this Province, (50) 220. Vide Accounts and Papers, 91.
 24. Constable, St. Francis:--For a detailed account of certain pecuniary charges made by the High Constable for the District of St. Francis, for the years 1848, 1849, and 1850; also for copies of proceedings of the Commissioners appointed to inquire into a seizure by officers McGowan and Dixon; Motion; Withdrawn Motion, 250.
 25. Quebec Fire Loans:--For a Return of parties in arrear for principal or interest of the said loans,--total amount received for the same by Government,--amount of loss from parties becoming insolvent,--particulars relative to securities and expense of management of the fund, (65) 299. Vide Accounts and Papers, 86.

26. School Houses:--For a Return shewing the sums advanced for building or repairing School Houses in Lower Canada, and in whose names the titles of such School Houses are held, (66) 299. Vide Accounts and Papers, 101.
27. Custom's Department, Montreal:--For a list of persons employed therein for and since 1848, with their salaries, (66) 300. Vide Accounts and Papers, 37.
28. Medical Board, Toronto:--For an addition to be made to the previous Return relating to the Medical Board, Toronto, shewing the number of persons passed since the last Session and the place of their education, (67) 303. Answer, (73) 339. Vide Accounts and Papers, 63.
29. University of Toronto:--For copies of all Reports made by the Endowment Board of the University of Toronto, and of Upper Canada College, and by the Auditors of Accounts of those institutions; and all annual Reports made by the Principal of the latter; Notice of Motion, 308. Motion, (85) 416. Answer, (91) 436. Vide Accounts and Papers, 114.
30. Stipendiary Magistrates:--For a Return of all appointed by the Government, with their salaries, and the authority for their appointment, (77) 360. Answer, (79) 383. Vide Accounts and Papers, 104.
31. St. Maurice, River:--For copies of the field books and other documents referred to in the Reports on the Scaling of that river by Messrs. Legendre and Bignell, (77) 360. Answer, (79) 383. Vide Accounts and Papers, 100.
32. Brantford and Buffalo Railroad:--For copy of any Instrument, &c., registered by any Company for the construction of a line of Railroad from Fort Erie to Brantford, (85) 416. Answer, (91) 436. Vide Accounts and Papers, 23.
33. Court of Common Pleas:--For a Return shewing what portion of the fees received by Clerks of the Crown of the Courts of Queen's Bench and Common Pleas in Upper Canada, is derived from the latter Court, (86) 418-419. Answer, (91) 436. Vide Accounts and Papers, 32.
34. Lunatic Asylum, Toronto:--For copy of the Petition of John Coppins to the Board of Directors, containing charges against the management of the institution, and documents connected therewith; also, a Return of the patients admitted since the commencement, and of deaths, and a list of the servants who have resigned or been dismissed; Notice of Motion, 431. Motion, (116) 559-561. Answer, (141) 713. Vide Accounts and Papers, 59.
35. Lunatic Asylum and Normal School, Toronto:--For Return shewing the interest payable on Debentures issued and outstanding on account of the Lunatic Asylum and Normal School at Toronto; Notice of Motion, 431. Motion, (116) 561. Answer, (141) 713. Vide Accounts and Papers, 61.
36. Census:--For a Return of the localities in Lower Canada in which the Census has been taken, in pursuance of the provisions of the Census Act; Notice of Motion, 431. Motion, (91-92) 437. Answer, (105) 492. Vide Accounts and Papers, 25.
37. Legislative Council:--For copy of any despatches between the Imperial and Provincial Governments, relative to the expediency of rendering the Legislative Council elective, (95) 459. Answer, (105) 492. Order for Address discharged, (109) 525.
38. University of Toronto:--For a Return of Professors and others who received salaries from the late University of King's College, and of those receiving salaries or pensions from the University of Toronto; with the number of lectures delivered by each Professor, number of students attending, and the fees charged; also, a Statement shewing the income of the University and whether any part of the endowment has been applied to the annual expenses, (95) 459. Answer, (105) 492.
39. Quebec Marine and Emigrant Hospital:--For copies of all correspondence relative to the management thereof; Notice of Motion, 592. Motion, (136) 675. Answer, (141) 713. Vide Accounts and Papers, 87.

40. Contingencies:--For a warrant for £5,000, on account of the Contingencies, (144) 727. Answer, (165) 879.
41. Montreal Provident and Savings Bank:--For copy of any Report made by the Commissioners for inquiring into the affairs of that Bank, (153) 764. Answer, (165) 879. Vide Accounts and Papers, 68.
42. Lunatic Asylum, Toronto:--For a Return of the inquests held thereat from the commencement,--with the evidence given at that on the body of Mrs. Gilbert, (153) 765-768. Vide Accounts and Papers, 60.
43. Colleges:--For a Return of the affairs of Queen's, Regiopolis, and Victoria Colleges, for 1848, 1849, and 1850, (153) 768-769.
44. Statutes, Revision of:--For appointment of a Commission to revise and consolidate the Statutes and Ordinances in force in the Province, (156) 783. Answer, (208) 1109.
45. Post Office:--For a Return of the net Revenue since 5th July, 1844, with the application thereof, and copy of a despatch directing the same to be applied to the Public uses of the Province; also, a Statement respecting the present mail contracts, (159) 810-811. Answer, (165) 879. Vide Accounts and Papers, 78.
46. Court of Chancery:--For the appointment of a Commission to provide for abolishing the Court of Chancery in Upper Canada; Notice of Motion, 840.
47. Quebec Turnpike Roads:--For a Debtor and Creditor Account between the Government and the Trustees from the commencement,--and the amount of debentures held, and interest paid and received by the Government, on account thereof, (185) 972. Answer, (208-209) 1109. Vide Accounts and Papers, 90.
48. Penitentiary:--For copy of the Report of the Roman Catholic Chaplain, and correspondence between him and the Inspectors, in 1850-51, (185) 972. Answer, (208-209) 1109. Vide Accounts and Papers, 74.
49. Roebuck, John Arthur:--For copies of all correspondence between the Government and the Colonial Secretary, relative to his claim, (185) 972. Answer, (208-209) 1109. Vide Accounts and Papers, 96.
50. Railways:--For all information in possession of the Government, and Orders in Council, &c., in reference to the proper gauge to be adopted for railroads in Canada, (186) 972. Answer, (208-209) 1109. Vide Accounts and Papers, 92.
51. Police:--For copy of any Instruments under Ordinance of Lower Canada, 2 Vic., c. 2, for extending the word "Cities" to any neighbouring Districts for the purposes of Police; and of the Commissions appointing Messrs. McCord and Ermatinger, Inspectors, &c., of Police at Quebec and Montreal, (186) 972-973. Answer, (208-209) 1109. Vide Accounts and Papers, 75.
52. Craig's Road:--For the Report of the Inspector of the Queen's Domain at Quebec, relative to that part of the said road through the Parish of St. Nicholas, which the inhabitants of St. Giles are required to keep in repair, (186) 973. Answer, (208-209) 1109. Vide Accounts and Papers, 34.
53. Bishopricks:--For copies of the several Queen's Letters Patent, establishing the Protestant Bishopricks of Quebec, Montreal, and Toronto, and of those in favor of the Roman Catholic Archbishop of Quebec and Bishop of Montreal, (186) 973. Answer, (208-209) 1109. Vide Accounts and Papers, 20.
54. Rectories:--Praying His Excellency to take the necessary steps for bringing to adjudication the question of the legality of the establishment of the Rectories in Upper Canada, (199) 1048-1053.
55. Huron and Superior, Lakes:--Praying that the lands on the north shores of those lakes, recently acquired from the Indians, may be surveyed and offered for sale on terms as liberal as those offered on the south shore by the American Government, (201) 1057-1058.
56. Lunatic Asylum, Toronto:--For a Return of certain charges preferred by the Directors against William Ramsay, the late Steward, with the evidence taken,

- and the result of the investigation, (201) 1058. Vide Accounts and Papers, 62.
57. Grand River Navigation:--Praying His Excellency to issue debentures, under provisions of 7 Will. 4, c. 73, for the completion of the Grand River Navigation; Notice of Motion, 1071. Motion, negatived, (227) 1183.
58. Public Works:--For a Return of the original cost of each of the Roads, Bridges, Slides, and Harbours, in possession of the Government in 1849 and 1850, (206) 1097.
59. University of Toronto:--For copy of the Report of the Commissioners appointed to inquire into the affairs of King's College (University of Toronto) and Upper Canada College, (206) 1098. Vide Accounts and Papers, 113.
60. Sault Ste. Marie:--Praying His Excellency to take into consideration the construction of a ship canal thereat, to connect Lakes Huron and Superior; Notice of Motion, 1175. Motion, (358) 1666.
61. Indian Department:--For a Statement of the Receipts and Expenditure of the Indian Department during the last two years, and a copy of the last annual Report of the Grand River Navigation Company, with a Statement of their affairs; Motion, negatived on division, (226) 1181-1182.
62. Loans:--For copies of any Orders in Council declaring the views of the Government with regard to the negotiation of Loans, since the Session of 1849, (227) 1183. Vide Accounts and Papers, 57.
63. Navigation of St. Lawrence:--Praying that measures be taken immediately to remove all obstructions from the bed of the St. Lawrence River, between Lake Ontario and Montreal, in such a manner as to permit vessels capable of transporting 10,000 barrels of flour to pass through; Notice of Motion, 1406. Motion; Superceded by prorogation, (358) 1666-1667.
64. Church of England, Montreal:--Praying that the Bill to provide for the management of the temporalities of the said Church in the Diocese of Montreal, may be transmitted to England, to be laid before Parliament, in compliance with the requirements of the Union Act; Notice of Motion, 1462. Motion, (297) 1468. Answer, (358) 1666.
65. Church of England, Lower Canada:--Praying that the Bill for establishing a Church Society in each Diocese in Lower Canada, may be transmitted to England, for the same purpose (vide above); Notice of Motion, 1462. Motion, (297-298) 1468. Answer, (358) 1666.
66. Crown Lands Department, Upper Canada:--Praying that on the removal of the seat of Government, the Upper Canada branch of the Crown Lands Department may be allowed to remain at Toronto; Notice of Motion, 1584. Vide Seat of Government.
67. History of Canada:--Praying that measures may be adopted for procuring from Great Britain, France, &c., (through the agent to be sent to Europe to purchase books for the Library,) copies of such documents relative to the early history of Canada, as may be wanting to complete the series of Records already obtained, (330) 1591-1592.
68. Seigniorial Rights:--Praying that measures be adopted to ascertain judicially whether or not the Seigniors of Lower are entitled to exact such rents and dues, exceeding two pence per acre, as may be specified in their deeds of concession to their Censitaires; Motion; Withdrawn Motion, 1609.
69. Criminal Law:--Praying for the appointment of a Commission for the consolidation and assimilation of the Criminal Laws, and that the Bill to amend and consolidate the Criminal Laws, and the Bill to establish a code of Criminal Procedure, be referred to the said Commission, (344) 1631-1632.
70. Seigniorial Tenure:--Praying that copies of all Octrois, and Grants, &c., of the various fiefs and Seigniories in Lower Canada, to be found in the public archives, may be translated, printed, and distributed among the Municipalities

and Members of the Legislature,--with any legal opinions or public documents, relating to the Seigniorial Tenure and the commutation thereof, that may be deemed necessary to the proper understanding of the relative rights of Seigniors and Censitaires, (353) 1650-1651.

71. Contingencies:--For a warrant for £19,480 13s. 7d., on account of contingencies, (356) 1660-1663.
72. Rectories:--Praying that the Bill to repeal the provisions contained in Imperial Act 31 Geo. 3, c. 31, relative to Rectories in this Province, may be transmitted to England, to be laid before Parliament, (357-358) 1664-1665.

-----Order for presenting an Address, discharged, (109) 525.

-----Papers and documents applied for by Addresses, but not subsequently transmitted to the House:--Vide Addresses, To His Excellency, 4, 38, 43, 58.

-----Papers applied for by Addresses of last Session, transmitted:--Vide Accounts and Papers, 33, 54, 72, 88, 95.--By Addresses of a previous Session:--Vide Accounts and Papers, 76, 106.

-----Motions for Addresses, negatived:--Vide Addresses, To Her Majesty, 6-8; Addresses, To His Excellency, 57, 61. Vide also Questions, Negatived or Superceded, 18, 31, 50, 62, 89, 96; St. Lawrence, River.

-----Motions for Addresses, considered but no report made:--Vide Addresses, To Her Majesty, 1, 3.

-----Notices of Motion for Addresses:--Vide Addresses, To Her Majesty, 4; Addresses, To His Excellency, 5, 15, 46, 63, 66.

-----Notices of Motion for Addresses, Withdrawn:--Vide Addresses, To His Excellency, 24, 68.

-----Conference relative to the mode of presenting joint Addresses:--Vide Conferences.

AGRICULTURAL SOCIETIES:--Bill to provide better for the organization thereof in Upper Canada; Presented and read, (135) 672. Read second time; Committed, (217) 1155. Considered; Reported; To be engrossed, (325) 1565. Passed, (332) 1595. By the Council, (342) 1625. Royal Assent, (360) 1672. [14 & 15 Vic., c. 127.]

-----Select Committee appointed on the Report of the Agricultural Society of Lower Canada, and the Special Report of the Society of Beauharnois, (112) 538. Report (App. J.); Printed, (264) 1331. 1,500 copies in French, and 500 in English, to be printed, (318) 1545.

-----Petition of Henry Reynolds and Edwin Larwill, on behalf of the Kent Agricultural Society, praying that the same may be declared the Society for the County of Kent, (36) 150, (40) 171.

-----Petition of the Agricultural Society of Lower Canada, for aid, (91) 435, (101) 481.

-----Vide Accounts and Papers, 2.

AGRICULTURE:--Bill to amend the Act for the encouragement of Agriculture in Lower Canada (Mr. Fournier); Presented and read, (207) 1100. Read second time; Committed; Considered; Reported; To be engrossed, (343-344) 1628. Passed, (348) 1640. By the Council, (357) 1664. Royal Assent, (360) 1670. [14 & 15 Vic., c. 104.]

-----Bill for encouragement of Agriculture in Lower Canada (Mr. Taché); Presented and read, (267) 1353.

-----Petition of Charles P. Treadwell, of L'Orignal, for a grant to each constituency for the purchase of an Agricultural Library, (110) 534, (118) 580.

-----Petition of James R. Laing, of Melbourne, complaining of duties illegally exacted on Agricultural seeds imported by him, and praying that the law relative to such duties may be explained, (128) 636, (134) 669.

-----Vide Rivers and Rivulets.

ALIENS:--Bill for the further relief of Aliens; Presented and read, (74) 348.
Read second time; Committed, (192) 1006-1007.

-----Petition of L. Marks and others, German and Polish Benevolent Society of Toronto, for amendment of the law respecting Aliens so as to reduce the time prescribed for their being naturalized, (138) 703, (149) 750.

ALLEN, HENRY:--Petition of, complaining of his dismissal from the office of Judge of the London District Court, and praying redress, (244) 1257, (251) 1293. Printed, (267) 1353. Order for printing rescinded, (320) 1554. Order rescinding the same rescinded, (329) 1590.

-----Petition of the same, praying to be heard at the Bar on the matter of his dismissal, (284) 1410, (292) 1432. Motion to refer petition, negatived on division, (309) 1523.

AMHERST ISLAND:--Petition of J. Boyes and others, praying that that Township may not be severed from the County of Addington, (57) 256, (61) 286. Referred to the Committee of the whole on the Territorial Divisions Bill, (75) 357-358.

ANDREWS, JAMES MADISON:--Petitions of James M. Andrews and others, for a grant of certain road allowances in Hope, in lieu of other lines given by them, (17) 63, (20) 80. Referred to Committee on Standing Orders, (46) 198. Report thereon, (50) 219. Bill presented and read, (53) 228. Read second time; Referred to Committee on Private Bills, (100) 473. Reported; Committed, (119) 582. Considered; Reported; To be engrossed, (248) 1267-1268. Passed, (249) 1275. By the Council, (283) 1402. Royal Assent, (361) 1674. [14 & 15 Vic., c. 165.]

-----Petition of Zacheus and Mark Burnham, against any alienation of the road allowance between lots 4 & 5 in Hope, (48) 214, (57) 257.

ANIMALS:--Vide Cruelty to Animals.

APPRENTICES:--Bill to amend the law relating to apprentices and minors; Presented and read, (43) 182. Read second time; Referred, (88) 423. Reported; Re-printed, as amended; Committed, (119) 582. Considered; Reported; To be engrossed, (176) 925. Passed, (183) 956. Returned from the Council, with amendments, (212) 1130. Considered, and agreed to, (215) 1144. Royal Assent, (229) 1190. [14 & 15 Vic., c. 11.]

ARGENTEUIL, SEIGNIORY OF:--Vide Parishes, Erection of.

ARKSEY, JOHN:--Praying redress, in relation to a lot of land in North Gwillimbury, bought by him at Sheriff's sale, and the expense to which he has been put in maintaining his title &c., (203) 1078, (210) 1125.

ARSON:--Bill to extend the Act amending the Criminal Law relating to Arson; Notice of Motion, 163. Presented and read, (56) 242. Order for second reading, (125) 620, (179) 936.

ASHES:--Vide Flour.

ASSESSMENTS:--Bill to explain and amend the Assessment Law of Upper Canada; Presented and read, (260) 1314. Read second time; Committed, (299) 1484. Considered; Reported; To be engrossed, (316) 1539. Passed, (326) 1571. By the Council, (342) 1624. Royal Assent, (360) 1671. [14 & 15 Vic., c. 110.]

- Petitions for amendments to the Assessment Law for Upper Canada:--Of Municipal Council of Hastings, (36) 150, (40) 171. Of Municipal Council, United Counties of Lincoln and Welland, (91) 436, (102) 482. Of Municipal Council, County of York, (103) 488, (111) 536. Of Municipal Council, County of Simcoe, (158) 808, (162) 845.
- Question, whether the Ministry intend to make any alterations in the Assessment Law; Answer, 988.

ASSURANCE COMPANIES:--Vide Accounts and Papers, 3-7.

ATHANASE AND MOUNT JOHNSON ROAD COMPANY:--Petition of Théophile Roy and others, for an Act of Incorporation, (91) 436, (102) 482. Referred to Committee on Standing Orders, (105) 491. Report insufficient notice, (119) 581.

ATTORNIES, COUNTY:--Question, concerning appointment of County Attornies to conduct the criminal business of Upper Canada; Answer, 121.

B.

BACON, WILLIAM:--Petition of William Bacon, of Ogdensburgh (N.Y.) praying compensation for the destruction of the "Sir Robert Peel" steamer by Canadian and American brigands after the Rebellion, (39) 169, (49) 216. Printed, (186) 974. Motion, to refer petition to a Select Committee; Withdrawn Motion, 1227.

BAIE ST. PAUL, PARISH OF:--Petition of C.P. Huot and others, for the construction of a bridge and landing place in that Parish, (203) 1078, (210) 1125.

BALDWIN, HON. ROBERT:--Resigns his seat in the Cabinet; Explanation therefor, 603-615. Motion, for a Committee of the whole on the State of the Province, with reference to the resignation by Mr. Baldwin of his seat in the Cabinet, while he continues to hold the office of Attorney General,--with an Instruction to consider certain Resolutions declaring the same to be a violation of the principles of Responsible Government; Motion to adjourn debate thereon, negatived on division; Notice taken that certain Resolutions were appended to the motion, of which no notice had been given; Mr. Speaker decides the motion to be therefore out of order, (153-154) 769-776.

BANKS, PUBLIC:--Notice of Motion, relative to public banks, 74.

BANK TAX:--Bill to repeal the Act imposing a duty on Bank Notes (Hon. Mr. Boulton); Presented and read, (164) 850-851.

-----House goes into Committee, to consider of repealing the tax on the circulation of the several Banks, on certain conditions (His Excellency's recommendation being signified,) (209) 1114-1115. Resolution reported and agreed to, (211) 1128.

-----Bill to exempt the chartered Banks from the tax on their circulation, on certain conditions (Hon. Mr. Hincks); Presented and read, (216) 1147. Read second time; Committed; Considered, (266) 1335. Reported; Motion, to amend Bill, negatived; To be engrossed, (300) 1486. Passed, (304) 1502. By the Council, (324) 1562. Royal Assent, (359) 1668. [14 & 15 Vic., c. 70.]

BANKING:--Bill to amend the Act establishing freedom of Banking; Presented and read, (289) 1424. Read second time; To be engrossed, (299) 1484. Passed,

(303) 1501. By the Council, (324) 1562. Royal Assent, (359) 1668. [14 & 15 Vic., c. 69.]

-----Vide Accounts and Papers, 8-19, 36; Governor General, Messages from His Excellency, 8, 9.

BANKRUPTS:--Bill for the relief of Bankrupts, and the administration of their Estates; Presented and read, (55) 239. Order for second reading, (127) 624, (174) 922. Order for second reading discharged; Bill withdrawn, (228) 1185.

-----Vide Merchants.

BAR OF LOWER CANADA:--Bill to amend the Act incorporating the Bar of Lower Canada, and a certain other Act; Presented and read, (43) 183. Read second time; Referred, (88) 423. Reported; Reprinted; Committed, (244) 1257-1258. Considered; Reported; To be engrossed, (344) 1628-1629. Passed, (348) 1640.

-----Petitions praying that the power vested in the Judges to regulate the tariff of fees may be transferred to the Corporation of the Bar of Lower Canada:--Of the Quebec Section of the Bar, (5) 15, (18) 64. Printed, (18) 66. Referred, (41) 172. Of the Three Rivers Section, (67-68) 315, (75) 357. Referred, &c., (83) 411. Of the Montreal Section, (91) 435, (101) 481. Referred, &c., (128) 636.

BARTHE, JOSEPH GUILLAUME:--Petition of, complaining of his dismissal from the office of Clerk of the Court of Appeal for Lower Canada, and praying relief, (45) 195, (51) 225. Printed, (52) 226.

BAYHAM:--Petition of the Municipality of Bayham, praying that the said township may be united to the County of Oxford, (32) 123, (36) 150.

BEAUHARNOIS (COUNTY):--Petitions for a division of that County into two Circuits:--Of the Municipal Council of the village of Huntingdon, (19) 78, (32) 124. Of A. Henderson and others, of Godmanchester, (39) 169, (49) 215. Of Municipal Council, County of Beauharnois, 2nd. Division, (91) 435, (101) 480.

-----Petition of L.G. Brown and others, for the holding of the Circuit Court in St. Clement de Beauharnois, (19) 78, (33) 124.

-----Petition of J. Hébert and others, for continuance of Ste. Martine as the seat of the Circuit Court, (110) 534, (118) 581.

-----Petition of P.A. Robillard and others, for the same, and for annexation of the Seignior of Chateauguy to the Beauharnois Circuit, (110) 534, (118) 581. Vide Chateauguy.

-----Vide Municipalities (Lower Canada).

BEAUHARNOIS ACADEMY:--Petition of Rev. D. Charland and others, for aid, (160) 827, (165) 878.

BEAUHARNOIS CANAL:--Petition of P. Buchanan and others, complaining of damage done to their lands by the construction of the dam at the entrance thereof, and praying relief, (36) 149, (40) 170.

BECANCOUR, GENTILLY AND NICOLET RIVERS:--Petition of Peter Paterson and others, of Quebec, for the formation of Joint Stock Companies to construct Booms across those rivers, (6) 19, (20) 79. Referred to a Select Committee, (20-21) 81. Printed, (33) 125. Petition of Henry Wulff Trigge and others also referred, (152) 763. Report, (181) 947. Vide below.

-----Petition of Henry Wulff Trigge and others, against the above, as far as relates to the River Nicolet, (137) 694, (139) 704. Referred to committee on above petition, (152) 763.

BELIVEAU, NORBERT:--Petition of, for indemnification for the destruction of his house by incendiaries on account of the performance of his duties as Assessor for the Parish of St. Grégoire, (36) 149, (40) 170.

BELLEVILLE:--Petition of the Town Council of Belleville, praying that certain town lots therein, reserved for a public hospital, but found inadequate for the purpose, may be transferred to the Corporation, (214) 1143, (230) 1193. Bill to allow a grant of the said Reserve to the Town Council; From the Council; Read first time, (233) 1213. Read second time; Referred to Committee on Private Bills, (237) 1231. Reported, (245) 1259. Read third time, and passed, (248-249) 1274. Royal Assent, (360) 1673. [14 & 15 Vic., c. 140.]

BERTHIER ACADEMY:--Bill to incorporate the Directors thereof; From the Council; Read first time, (265) 1333. Order for second reading, (267) 1353. Read second time; Referred to Committee on Private Bills, (267) 1354. Reported amended; Committed; Considered; Reported; To be read a third time, (279-280) 1390-1391. Passed, as amended, (285) 1414. Amendment agreed to by the Council, (291) 1429. Royal Assent, (361) 1674. [14 & 15 Vic., c. 158.]

-----Petition of F.R. Tranchemontagne and others, for aid thereto, (107) 518, (115) 556.

BILLS:--Bill to provide for recording the votes of Members on the final passage of Bills; Notice of Motion, 513. Presented and read, (108) 525. Question for second reading postponed six months, (238) 1232.

-----Instruction to the Committee on Printing, to consider and report whether any improvement can be made in the printing and engrossing of Bills, (113) 540. Vide below. Vide also Printing.

-----A series of Resolutions, for substituting printed copies (on vellum) for the present system of engrossing Bills; also, for printing the full number of Private and Local Acts with the Statutes, and for altering the form of the volume of Statutes, &c.; To be communicated to the Council, for their concurrence, (254) 1299-1300. Agreed to by the Council, (316) 1539. Vide Accounts and Papers, 1; Governor General, Messages from His Excellency, 5; Statutes, Provincial.

-----Speaker declines receiving a motion for leave to present a Bill to fix the time and place for the meeting of Parliament, as being contrary to the provisions of the Union Act; His decision appealed from, and confirmed by the House, (54) 232-239.

-----Bills incidentally involving expenditure of public money, presented, and Resolutions authorizing such expenditure adopted and referred to the Committee of the whole thereon, with instructions to provide for the same in the Bills. A clause involving expenditure of public money, added as a Rider. Vide Clerks of Assize; Indians; Justice, Administration of; Municipalities (Upper Canada).

-----Bills involving the expenditure of public money: His Excellency's recommendation signified (generally before going into Committee to vote the same,) (106) 510, (160) 828, (161) 828-829, (171) 900, (209) 1114, (217) 1154, (264-265) 1331, (287-288) 1418-1419, (305) 1504-1505, (347-348) 1638-1639.

-----Bills affecting the interest or prerogative of the Crown: His Excellency's consent signified before the second reading, (191) 997, (335) 1602-1603.

-----Bill amending a Bill of the present Session. Vide Railroads.

-----Leave granted to present Bills, and the same presented on a future day. Vide Duelling; Heirs and Devisees; Sheriffs; Usury.

-----Committees appointed to draft Bills, (88) 421, (92) 437.

- Reported by Committees, (112) 539, (182) 949, (244) 1257, (244-245) 1258, (325) 1566-1567.
- Withdrawn, (88) 421, (131) 658, (133) 665, (151) 755, (169-170) 892, (173) 916, (174) 921-922, 922, (179) 934, 936, (214) 1135, (228) 1185, (232) 1203, (236) 1221, (254) 1300, (255) 1302, (283) 1403-1405, (321) 1557, (326) 1568.
- Printing dispensed with, (333) 1597.
- Bill (amending the Union Act in regard to the Representation) requiring the concurrence of two-thirds of the Members at the second and third readings. Vide Representation.
- Second reading postponed two months, (192) 1006.--Three months, (197) 1041, (232) 1207, (247-248) 1266-1267, (255) 1302-1303.--Six months, (67) 305-307, (70) 324-330, (78) 363-373, (131) 659, 659-660, (137) 683, (142) 715, (169) 891, (180) 939, 940, (196) 1037, (197) 1038-1039, 1039, (198) 1043, (212) 1131, (214) 1139, (226) 1180-1181, (238) 1232, 1232-1233, 1233-1235, (255) 1302, (262) 1321-1322, (355) 1656. Third reading postponed three months, (259-260) 1313-1314, (261) 1317, (285) 1413.--Six months, (183) 955, (295) 1440-1441. Committed to a Committee of the whole, this day three months, (290) 1428, (294) 1437-1438.
- Two Bills referred to the same Committee of the whole, (177) 931, (240) 1237, (266) 1352.
- Two or more Bills referred to the same Select Committee, with an Instruction to consolidate the same, if found expedient. Vide Judgments; Lessors; Registration of Deeds.
- Instructions to Committees of the whole on Bills, (217) 1154, (322) 1558. To Select Committees, (45) 187, (175) 923.--(To confine operation of Bill, relative to the payment of Mechanics, to Toronto), (254) 1300-1301.
- Petitions relating to a Bill referred to the Committee of the whole on the Bill, (93) 441, (112) 539, (123) 602, (134) 670, (137) 695.
- Amendments of Committees of the whole amended, or negatived, by the House, (283) 1402, (300) 1486, (340) 1621.
- Recommitted, (148-149) 743-744, (187) 975, (211) 1127-1128, (260-261) 1315-1316, (263) 1324, (331) 1593, (339) 1616.
- Reprinted, as amended by Committees of the whole, (138) 698, (151-152) 756, (325) 1566. By Select Committees, (116) 558, (119) 582, (168) 887, (177) 931, (237) 1231, (244) 1257-1258, (309) 1523.
- Third readings of Bills to take place at 4 o'clock each day, during the present Session, (178) 932.
- Ryders added at third reading, (327) 1572, (347-348) 1638-1639 (relative to Fees). Negatived, (303-304) 1501-1502, (327-328) 1573-1582, (328) 1582, (347) 1637-1638.
- Passed with unusual speed. Vide Juries; Railroads.
- Proofs and evidence on which Bills were founded, desired by the Council, (171) 903, (195) 1021-1022.
- Amended by the Council, (186) 974, (195) 1021, (200) 1054, (204) 1081, (212) 1130, (216) 1146, (232) 1196-1197, (233) 1212-1213, (241) 1242, (265) 1333, (272) 1366, (283) 1403, (285) 1414, (291) 1429, (295) 1439, (301) 1488, (316) 1538-1539, (324) 1562-1563, (332) 1596, (334) 1602, (346) 1635, (357) 1663.
- Amendments of Council, amended, (215) 1143-1144, (303) 1499-1500, (313) 1530-1531.
- Vote of the House amending amendments of Council, rescinded, (250) 1276-1277.
- Bills receive the Royal Assent, (229-230) 1188-1191, (358-361) 1667-1675.
- Reserved, (361) 1675.
- Bills required by the Union Act to be laid before Parliament after passing both Houses. Vide Church of England (by the Constitutional Act, 31 Geo. 3,

c. 31); Rectories.

-----Bills from the Council, (42) 174, (54) 230, (69) 317, (111) 537-538, (121) 598, (146) 735, (155) 781, (159) 810, (177) 932, (183) 955, (204) 1081, (233) 1212-1213, (241) 1242, (246) 1260, (265) 1333, (291) 1430, (327) 1573, (342) 1624. A Private Bill: Petitions for and against the Bill ordered to be read, (48) 206.

-----Bills from the Council, amended, (155) 781, (263) 1324-1325, (271) 1363-1364, (279-280) 1390-1391, (286) 1416-1417, (291) 1428-1429, (331) 1592-1593, (342-343) 1625-1626.

BILLS, PRIVATE:--Standing Committee on Miscellaneous Private Bills appointed, (18) 66, (22) 93.

-----Bills referred: Andrews' Road Allowance Bill, (100) 473. York Road Allowance Bill; Trinity College Bill, (113-114) 544-545. British America Assurance Company Extension Bill; Canada Guarantee Company Bill; Montreal Diocese Temporalities Bill; Carleton Protestant Hospital Bill, (114) 547, 551. Sault Ste. Marie Canal Company Bill; Montreal Marine Mutual Insurance Bill; Western Assurance Bill; Hamilton Court House Square Bill; St. Lawrence School of Medicine Bill, (131) 658, 660. Gould's Naturalization Bill; Bill for closing Ottawa Street, Cayuga; Church Societies Incorporation Bill (Lower Canada); Maskinongé Common Bill, (132) 660-662. Thompson's Road Allowance Bill; Peterborough By-law Bill; Peterborough Rectory Endowment Sale Bill; Yamaska Common Bill; Toronto Orphans' Home Bill; Toronto House of Industry Bill; Fort Erie and Buffalo Suspension Bridge Bill; Toronto School of Medicine Bill (Legislative Council); Welland Canal Manufacturing Company Bill; Grand River Navigation Loan Bill, (133) 663-666. Petition of J.R. Holden, against Hamilton Court House Bill, (139) 704. Petition of R.J. Hamilton, on same subject, (150) 751. Sydenham Mountain Road Bill, (150) 752. Canada West Farmers' Insurance Company Bill; Kingston Water-works amendment Bill; Burlington Ladies' Academy Bill; Toronto General Burying Ground Bill, (151) 755-756. Petitions of J.D. Hare, and of Municipality of Flamborough West (relative to Sydenham Mountain Road Bill), (165) 878. Medical Profession (Upper Canada) Incorporation Bill, (173) 916-919. Quebec Music Hall Incorporation Bill; Waterous' Naturalization Bill; Wesleyan Benevolent Societies Incorporation Bill; Twynam's Admission as Attorney Bill; Bill to remove sittings of Municipal Council of Drummond No. 2, to Stanfold; Hamilton Dry Dock Bill; Bill for erecting a new township out of Cramahé and Murray, (174) 920-921. Port Hope Harbour Stock Increase Bill, (214) 1132, 1135. Bill to Incorporate Sons of Temperance in Canada West, (234) 1214. Bill to grant the Hospital Reserve at Belleville to the Town Council, (237) 1231. Bill for relief of Alexander Wood's Estate; Bill to amend Charter of Niagara Dock Company, (238) 1231-1232. Berthier Academy Incorporation Bill, (267) 1354.

-----FIRST REPORT: Carleton Hospital Bill, (116) 558-559. SECOND REPORT: Andrews' Road Allowance Bill; Trinity College Bill, (119) 582. THIRD REPORT: Toronto Orphans' Home Bill, Toronto House of Industry Bill; Canada Guarantee Company Bill; British American Assurance Company amendment Bill, (135) 671. FOURTH REPORT: York Road Allowance Bill; St. Lawrence School of Medicine Bill; Gould's Naturalization Bill, (137) 694. FIFTH REPORT: Montreal Diocese Temporalities Bill; Church Societies Incorporation Bill, (143) 725. SIXTH REPORT: Montreal Marine Mutual Insurance Bill; Peterborough By-law Bill; Yamaska Common Bill; Maskinongé Common Bill, (152-153) 763-764. SEVENTH REPORT: Grand River Navigation Loan Bill; Welland Canal Manufacturing Company Bill; Peterborough Rectory Endowment Sale Bill; Sault Ste. Marie Canal Bill; Fort Erie and Buffalo Suspension Bridge Bill, (155) 781. EIGHTH REPORT: Toronto School of Medicine Bill; Toronto General Burying Ground Bill; Thompson's Road Allowance Bill, (170) 898. NINTH REPORT: Burlington Ladies'

Academy Bill; Canada West Farmers' Mutual Insurance Bill; Sydenham Mountain Road Bill; Bill for closing part of Ottawa Street, Cayuga; Twynam's Admission Bill; Kingston Water-works Bill; Waterous' Naturalization Bill, (177) 930. TENTH REPORT: Hamilton Court House Square Bill; Wesleyan Benevolent Societies Incorporation Bill, (181) 947-948. ELEVENTH REPORT: Drummond Municipality Bill; Quebec Music Hall Bill, (198) 1046-1047. TWELFTH REPORT: Upper Canada Medical Profession Incorporation Bill; Cramahé and Murray new township Bill, (204) 1080. THIRTEENTH REPORT: Western Assurance Bill, (210) 1125. FOURTEENTH REPORT: Belleville Hospital Reserve Bill; Sons of Temperance Incorporation Bill, (245) 1258-1259. FIFTEENTH REPORT: Wood's Estate Bill, (249) 1275-1276. SIXTEENTH REPORT: Berthier Academy Bill; Port Hope Harbour Bill; Hamilton Dry Dock Bill, (279) 1390. SEVENTEENTH REPORT: Niagara Dock Bill, (318) 1545. EIGHTEENTH REPORT: Recommending certain alterations of the Rules and practice relative to the printing of Private Bills and Acts; Committed, (339-340) 1618.

- Wednesday in each week set apart for the consideration of Private Bills ordered for a second reading, (108) 525. Such Bills as have been reported and committed to be taken up afterwards, (150) 752.
- Private Bills to be taken up (on certain days) before the other Orders, (173) 915-916, (267) 1354.
- Time extended for receiving Petitions for Private Bills, (46-47) 200, (106) 511. Private Bills, (91) 437, (128) 636. Reports thereon, (128) 636, (195) 1035, (231) 1195, (318) 1545, (328) 1588.
- Petition for leave to present a petition for a Private Bill (the time having expired); Leave granted, (171) 903.
- Rules suspended, relative to:--Notice in local papers, (94-95) 458. Notice in Lobby, (135) 671, (for residue of Session), (245) 1259. Printing Bill and Act, (186) 973.
- Fees on Private Bills refunded, after rejection of the Bills, (183) 955, (299) 1483, (358) 1666.
- Applications for Private Bills lost for want of publication of notice:--Vide Caistor; Caledonia; Cotton, James; Cotton, Robert; Edwardsburgh; Norfolk; Sault Ste. Marie. From insufficient notice:--Vide Athanase and Mount Johnson Road Company; Huron and St. Lawrence Railroad; Sherbrooke.
- Committee report, on a certain Bill, that the preamble is not proven, (204) 1080. That it is inexpedient to pass the Bill, (279) 1390.
- Report on a certain Bill, that notice has not been given, referred back, to allow proof of notice not before submitted, (85) 415.
- Proofs and evidence on which certain private Bills are founded, desired by the Council, (171) 903, (195) 1021-1022.
- Motion to dispense with the fee on a certain Bill, negatived on division, (105) 493. Expense of printing, (105) 493.
- Motion, that the House go into Committee to consider of rescinding the 70th Rule (Fee of £15 on certain Bills), negatived on division, (74) 348.
- Vide Bills; Statutes, Provincial.

BILLS OF EXCHANGE:--Bill to facilitate the negotiation of Promissory Notes and Bills of Exchange, and to relieve them from the operation of the Usury Laws (Mr. Holmes); Presented and read, (43) 182. Order for second reading, (89) 425, (124) 619. Question for second reading postponed six months, (169) 888-891.

- Bill to amend the law in Lower Canada respecting Bills of Exchange and Promissory Notes (Mr. Holmes); Notice of Motion, 700. Presented and read, (141) 712. Read second time; Motion to add a clause relative to the days of grace falling on holidays, negatived; Bill to be engrossed, (255-256) 1303.

Passed, (260) 1314. By the Council, (283) 1402. Royal Assent, (359) 1668.
[14 & 15 Vic., c. 62.]

-----Bill to amend the law relative to the protesting of Bills of Exchange, &c. (Mr. Henry Smith); Presented and read, (164) 850. Read second time; Committed, (290) 1426-1427. Considered, (323) 1561-1562. Reported; To be engrossed, (331) 1594. Passed, (339) 1616. By the Council, (345) 1634. Royal Assent, (359) 1670. [14 & 15 Vic., c. 94.]

-----Bill to amend a certain Act relative to Bills of Exchange, &c. (with respect to the days of grace falling on holidays, &c.); Reported by a Committee, (182) 948. Order for second reading discharged, (286) 1416.

-----Petition of the Bank of Montreal, and other Banks, for the passing of an Act declaratory of the law with regard to the noting and protesting of inland Bills of Exchange and Promissory Notes, (149) 750, (155) 780.

BISHOPRICKS:--Vide Accounts and Papers, 20; Addresses, To His Excellency, 53.

BISHOP'S COLLEGE, LENNOXVILLE:--Petition of the Council thereof, for the usual aid, (22) 101, (37) 151.

BLUE BOOKS:--Vide Accounts and Papers, 21.

BONDS AND SECURITIES:--Registrar's Return of; Vide Accounts and Papers, 22.

BONDS TO THE CROWN:--Vide Real Estate.

BOUCHETTE, JOSEPH:--Petition of, representing that the copper plates of his map of Canada are pledge to the engraver for a certain sum, and praying aid to redeem them, (70) 335, (78) 382.

BOULTON, HON. HENRY JOHN:--Vide Privileges.

BOUNDARY LINE:--Bill to define and establish the division line between Upper and Lower Canada; Presented and read, (22) 93. Order for second reading, (47) 203, (77) 361, (96) 461, (123) 616. Read second time; Referred, (138) 695.

BRANTFORD AND BUFFALO RAILROAD COMPANY:--Petitions praying that if the Act 13 & 14 Vic., c. 72 (relative to incorporation of Road or Railroad Companies, &c.) be repealed, the rights acquired by the said Company under it may be preserved inviolate. Of Municipality, Township of Brantford; Of Municipal Council, Town of Brantford; Of Alexander Douglas and others, of Bertie, (158) 808, (162) 845. Of Municipality, United Townships of Moulton and Sherbrooke, (165) 878, (173) 915. Of Municipality, Township of Wainfleet, (184) 970, (194) 1018.

-----Vide Accounts and Papers, 23; Addresses, To His Excellency, 32.

BRANTFORD MECHANICS' INSTITUTE:--Petition of A. Kirkland, for an annual aid thereto, (149) 750, (154) 780.

BRIDGES:--Chateauguay, River:--Petition of S.H. Schuyler and Thomas Crawford, for payment of the sum due them for erecting a bridge over that river, (91) 435, (101) 480. Petition of S.W. Gillett, of Constable (New York), for payment of the sum due him for constructing a bridge over that river, at DeWittville, and the roads leading thereto, (91) 435, (101) 480.

-----Chaudière, River:--Petition of Joseph Busque and others, for aid to complete a bridge over that river, near the Church of St. François de la Beauce, (45) 195, (51) 225. Printed, (145) 732.

-----Etchemin, River:--Petition of Rev. Jean Langevin and others, for aid to repair the bridge over that River, in the Parish of Ste. Claire de Joliette, (36) 149, (40) 170.

-----Gaspard Bridge:--Petition of R.S. Noel, for aid to rebuild the Gaspard Bridge in Ste. Croix, (36) 149, (40) 170.

-----Kamouraska, River:--Petition of Municipal Council of Kamouraska, for aid to reconstruct a bridge over that river, in the Parish of St. Louis, (5) 15, (18) 64.

-----Montmorency Bridge:--Vide Quebec Turnpike Roads.

-----Richelieu, River:--Vide Champlain and St. Lawrence Railroad.

-----St. Francis, River:--Petition of John Moore and others, for aid to build a bridge over that river, and to complete a road, (78) 381, (82) 405.

-----Welland, River:--Petition of Jacob Misener and others, for construction of a bridge over that river, (193) 1018, (198) 1046.

-----Vide Baie St. Paul; Roads and Bridges.

BRITISH AMERICA FIRE AND LIFE ASSURANCE COMPANY:--Petition of, for a certain amendment to the Act 6 Will. 4, cap. 20, amending their Charter, (22) 101, (37) 151. Referred to Committee on Standing Orders, (52) 227. Report thereon, (62) 287.--Bill to extend the powers of the Company; Notice of Motion, 308. Presented and read, (69) 318. Read a second time; Referred to Committee on Miscellaneous Private Bills, (114) 547. Reported; To be engrossed, (135) 671. Passed, (138) 695. By the Council, (155) 781. Royal Assent, (229) 1189. [14 & 15 Vic., c. ?]

BRITISH CONNEXION:--Vide Accounts and Papers, 24; Governor General, Messages from His Excellency, 2.

BRITISH NORTH AMERICA, UNION OF:--Vide Convention.

BRITISH NORTH AMERICA BANK:--Vide Accounts and Papers, 17.

BROCK'S MONUMENT:--Bill to exempt from personal liability those who may undertake to superintend the rebuilding of the same; Notice of Motion, 163. Presented and read, (56) 242. Order for second reading, (125) 620, (173) 916.

BROME GRAMMAR SCHOOL:--Petition of Moses Gilman and others, for aid, (70) 335, (78) 382.

BROOKE, THOMAS:--Petition of, for a pension for his long services, &c., as door-keeper to the Legislative Council, (78) 381, (82) 406.

BRULEE, ISLE:--Petition of J.C. Taché and others, for aid to construct a wharf at that island, opposite St. Louis de Kamouraska, (110) 534, (118) 580.

BUILDING SOCIETIES:--Bill to amend the Act to encourage the establishment of Building Societies in Lower Canada; Presented and read, (106) 510. Read second time; To be engrossed, (175) 924. Passed, (178) 933. Returned from the Council, with amendments, (200) 1054. Considered, and agreed to, (204) 1080. Royal Assent, (230) 1191. [14 & 15 Vic., c. 23.]

-----Petition of the Quebec Building Society, for amendments to the Act relating to Building Societies in Lower Canada, (91) 435, (101) 480-481. Referred to Committee on Standing Orders, (102) 483. Report, that petition does not relate to a Private Bill, (105) 492.

BURFORD:--Vide Oxford, Burford, and Windham.

BURLINGTON BAY DOCK COMPANY:--Vide Hamilton Dry Dock Company.

BURLINGTON LADIES' ACADEMY:--Petition of George S. Tiffany and others, for an Act of Incorporation, (48) 214, (58) 257. Referred to Committee on Standing Orders, (59) 260. Report thereon, (62) 287. Bill to incorporate, &c.; From the Council, (111) 537. Read first time; Order for second reading, (112) 538. Read second time; Referred to Committee on Private Bills, (151) 755. Reported; Amended; Committed, (177) 930, 931. Considered; Reported; Amended; To be read a third time, (291) 1428-1429. Passed as amended, (332) 1595. Amendment agreed to by the Council, (334) 1602. Royal Assent, (361) 1674. [14 & 15 Vic., c. 166.]

BYTOWN AND PRESCOTT RAILWAY COMPANY:--Petition of, for amendments to their Act of Incorporation, (107) 518, (115) 556. Referred to Committee on Standing Orders, (119) 582. Report thereon, (121) 599. Bill presented and read, (136) 674. Read second time; Referred to Committee on Railroads, (173) 919. Reported, (203) 1079. Committed, (204) 1079. Considered; Reported; To be engrossed, (250-251) 1285-1286. Passed, (253) 1298. By the Council, (283) 1402. Royal Assent, (361) 1673. [14 & 15 Vic., c. 147.]

BYTOWN COLLEGE:--Petition of Roman Catholic Bishop of Bytown and others, for aid thereto, (39) 169, (49) 216.

BYTOWN HOSPITAL:--Petition of Roman Catholic Bishop of Bytown and others, for aid in behalf of the General Hospital of Bytown, under the management of the "Soeurs de la Charité," (39) 169, (49) 216.

BYTOWN HOUSE OF REFUGE:--Petition of Charles Sparrow and others, for aid thereto, (39) 169, (49) 215.

BYTOWN SOEURS DE LA CHARITE:--Petition of Sister E. Bruyère and others, Nuns of that community, for aid for their Hospital and Asylum, (32) 123, (36) 150. Vide also Bytown Hospital.

C.

CAISTOR:--Petition of J. Ker and others, for an Act to define the limits of lots in 1st and 2nd Concessions, and the side lines through the whole township, (22) 101, (37) 151. Referred to Committee on Standing Orders, (139) 704. Report that notice has not been given, (150) 751-752.

CALEDONIA:--Petition of Peter M. Laurin and others, for confirmation of a certain survey of that township, (91) 435, (101) 480. Bill to define certain road allowances therein; Presented and read, (103) 484. Petition referred to Committee on Standing Orders, (112) 539. Report that notice has not been given, (119) 581. Bill withdrawn, (151) 755.

-----Petition of Honorable Archibald McLean, against, (134) 668, (139) 703.

CALL OF THE HOUSE:--Vide House.

CAMPBELL, ALEXANDER:--Petition of, for relief with respect to a lot of land in Thorah, purchased by him in 1827, but since sold by Government to another party, (51) 224, (61) 285.

CAMPBELL, W.A.:--Vide Clerks of Assize.

CANADA GUARANTEE COMPANY:--Petition of P. Durnford and others, for an Act of Incorporation, (39) 169, (49) 215. Referred to Committee on Standing Orders, (50) 219. Report thereon, (62) 287. Bill presented and read, (69) 318. Read second time; Referred to Committee on Private Bills, (114) 547. Reported; Committed, (135) 671. Considered; Reported; To be engrossed, (176) 925-926. Passed, (183) 956. Returned from the Council, with amendments, (212) 1130. Considered and agreed to, (215) 1144. Royal Assent, (229) 1190. [14 & 15 Vic., c. 36.]

CANADA LIFE ASSURANCE COMPANY:--Vide Accounts and Papers, 6.

CANADA WEST FARMERS' MUTUAL AND STOCK INSURANCE COMPANY:--Petition of S.W. Ryckman and others, for an Act of Incorporation, (51) 224, (61) 285. Referred to Committee on Standing Orders, (79) 383. Report thereon, (85) 415. Bill presented and read, (92) 438. Read second time; Referred to Committee on Private Bills, (151) 755. Reported; Committed, (177) 930. Considered; Reported; To be engrossed, (268) 1354-1355. Passed, (285) 1414. Returned from the Council, with amendments, (301) 1488. Considered, and agreed to, (305) 1504. Royal Assent, (361) 1674. [14 & 15 Vic., c. 163.]

CAREY, JOHN:--Petition of, for compensation for damage done to his property in the improvement of the West Toronto Road, (36) 150, (40) 171. Motion to refer petition, negatived on division, (50) 217.

CARLETON PROTESTANT HOSPITAL:--Petition of George Paterson and others, for an Act to incorporate the said Hospital, (51) 224, (60) 284. Referred to Committee on Standing Orders, (62) 288. Report thereon, (72) 338-339. Bill presented and read, (73-74) 346. Read second time; Referred to Committee on Private Bills, (114) 551. Reported; Committed, (116) 558-559. Considered; Printed, as amended, (151-152) 756. Reported; To be engrossed, (162) 832. Passed, (169) 887. 67th and 79th Rules (relative to expense of printing) suspended, (186) 973. Passed by the Council, (186) 974. Royal Assent, (229) 1189. [14 & 15 Vic., c. 33.]

-----Petition of Roderick Ross, on behalf of the Building Committee thereof, for pecuniary aid, (165) 878, (172) 915. Motion to refer Petition; Withdrawn Motion, 965.

CAYUGA:--Petition of Municipal Council of Haldimand, for authority to close up a part of Ottawa Street in that town, (32) 123, (37) 152. Referred; Petition of the same, for application of statute labor to improve roads between townships, also referred, (46) 198. Committee discharged, and Petition referred to Committee on Standing Orders, (72) 339. Report thereon, (79) 382. Bill presented and read, (92) 438. Read second time; Referred to Committee on Private Bills, (132) 660. Reported; To be engrossed, (177) 930, 931. Passed, (183) 957. By the Council, (199) 1053. Royal Assent, (230) 1190. [14 & 15 Vic., c. 30.]

CENSUS:--Bill to amend the Act for taking the Census (Mr. Notman); Presented and read, (34-35) 128. Order for second reading, (44) 186, (57) 247, (88) 422, (124) 617. Question for second reading, postponed six months, (141-142) 714-715.

-----Question, whether or not the Census for Lower Canada has been completed; Answer, 249.

- House goes into Committee, to consider of amending the Census Acts, (81) 394-395. Order for report, (81) 396. A series of Resolutions reported, for amending the Census Acts, 4 & 5 Vic., c.42, and 10 & 11 Vic., c. 14,-- for directing a Census in 1852 and in 1860, and every tenth year thereafter,-- and providing for the registration of Marriages in Upper Canada; Agreed to; Committee appointed to draft a Bill thereon, (87-88) 420-421.
- Bill to provide more effectually for taking the periodical Census; Presented and read, (92) 439. Read second time; Committed, (209) 1115. Considered, (241) 1242. Reported; To be engrossed, (246) 1260. Passed, (249) 1274-1275. Returned from the Council, with amendments, (272) 1366. Considered, and agreed to, (280) 1392. Royal Assent, (358) 1667. [14 & 15 Vic., c. 49.]
- Vide Accounts and Papers, 25; Addresses, To His Excellency, 36; Municipalities (Upper Canada).

CHAMBLY AND GRANBY TURNPIKE ROAD:--Petition of Municipal Council, Village of Chambly, for aid to improve section No. 1 of the said road, (78) 381, (82) 406.

CHAMBLY COLLEGE:--Petitions for aid thereto: Of the College Corporation, (19) 78, (32) 124. Of Rev. P.M. Mignault and others, (39) 169, (49) 215.

CHAMPLAIN AND ST. LAWRENCE CANAL:--Petitions for construction of a canal to connect Lake Champlain with the St. Lawrence: Of Frothingham and Workman and others, of Montreal, (22) 101, (37) 151. Of J. Keefer and others, residing near the Welland Canal, (48) 214, (57) 257. Of P.P. Russell and others, of Missisquoi, (70) 335, (78) 381. Of William Bowman and others, of St. Johns and St. Athanase, (114) 556, (120) 597.

CHAMPLAIN AND ST. LAWRENCE RAILROAD:--Petition of the Company of Proprietors, for authority to construct two branch roads, and a bridge; and for amendments to their charter, (32) 123, (37) 151. Referred to Committee on Standing Orders, (41) 172. Report thereon, (50) 219. Bill to empower the Company to construct a branch road to the Province Line, and a bridge over the Richelieu; Presented and read, (52) 227. Read second time; Referred to Committee on Railroads, (100) 473. Reported; Committed, (194) 1019. Considered; Reported; To be engrossed, (270) 1361. Passed, (282) 1398. Returned from the Council, with an amendment, (301) 1488. Amendment considered, and amended, (302-303) 1499-1500. Amendments agreed to by the Council, (324) 1562. Royal Assent, (361) 1673. [14 & 15 Vic., c. 144.]

-----Petitions against the construction of a bridge: Of E.B. Franchère and others, of Rouville and Chambly. Of Jason C. Pierce and others, of the same, (118) 580, (120) 597. Both referred to Committee on Railroads, (128) 636.

-----Petition of the Company, praying that their application for permission to construct the bridge may be granted, or otherwise, authority to establish a ferry across the Richelieu, (198) 1046, (206) 1096.

-----Vide Accounts and Papers, 26.

CHANCERY, COURT OF (UPPER CANADA):--Bill to confirm certain decrees and orders of the said Court; Presented and read, (39) 161. Order for second reading, (88) 422, (96) 462. Read second time; Committed, (124) 617. Considered, (253) 1298-1299. Reported; Motion for postponing reception of Report three months, negatived on division; Recommitted, (260-261) 1315-1316. Considered; Reported; To be engrossed, (326) 1567-1568. Passed, (338) 1615. By the Council, (353) 1651. Royal Assent, (360) 1671. [14 & 15 Vic., c. 113.]

-----Notice of Motion, for appointment of a Select Committee, to report by Bill or otherwise, for the abolition of the Court of Chancery, and for conferring Equity powers, in certain cases, on the Courts of Common Law, 308. Motion, negatived on division, (117) 562-570. Vide also Baldwin, Hon. Robert.

-----Vide Addresses, To Her Majesty, 4; Addresses, To His Excellency, 46.

CHARLESTON ACADEMY:--Petition of W.G. Cook and others, for aid, (45) 196, (52) 226.

CHATEAUGUAY:--Bill to attach the Seigniorship of Chateaugay to the Judicial Circuit of Beauharnois; Presented and read, (116) 562. Read second time; To be engrossed, (247) 1266. Passed, (249) 1275.

-----Vide Beauharnois (County).

CHATHAM AND KENT ROAD:--Notice of Question, relative to control of Chatham and Kent Road, and of Rondeau Harbour, 188. Question; Answer, 249.

CHURCH OF ENGLAND:--Petition of the Lord Bishop of Montreal, for an Act to provide for the management of the temporalities of the said Church in that Diocese, (45) 195, (51) 225. Referred to Committee on Standing Orders, (52) 227. Report thereon, (62) 287. Bill presented and read, (69) 318. Motion, to postpone second reading three months, negatived on division; Read second time; Referred to Committee on Private Bills, (114) 547-551. Reported; Committed, (143) 725. Considered; Reported; Motion, to postpone third reading six months, negatived on division; To be engrossed, (261-262) 1317-1319. Passed, (271) 1364. By the Council, (285) 1414. Reserved, (361) 1675. Vide Addresses, To His Excellency, 64.

-----Petition of the Church Society of Quebec, for an Act to divide the said Corporation into two, for the Dioceses of Quebec and Montreal, (75) 356, (82) 405. Referred to Committee on Standing Orders, (85) 415. Report thereon, (94) 458. Bill to provide for establishment of a Church Society in each Diocese in Lower Canada; Presented and read, (92) 437. Read second time; Motion, to refer Bill to Committee on Private Bills; Amendment, to substitute a Select Committee, with an Instruction to report a general measure granting like privileges to all religious bodies, negatived on division; Main motion agreed to, and Bill referred, (132) 660-662. Reported; Committed, (143) 725. Considered; Reported; Motion, to postpone third reading six months, negatived on division; To be engrossed, (262) 1319-1320. Passed, (265) 1333. By the Council, (285) 1414. Reserved, (361) 1675. Vide Addresses, To His Excellency, 65. New Bill presented and read, (106) 510. Withdrawn, (133) 665.

-----Petition of James Gilmour and others, of Montreal, praying that certain parts of both Bills may be expunged, (149) 750, (155) 780.

-----Vide Rectories.

CHURCHES AND CHAPELS:--Bill to amend the Act of Lower Canada for the preservation of good order in Churches, &c; Presented and read, (22) 92. Order for second reading, (39) 162. Read second time; Referred, (44) 185-186. Reported; Committed, (52) 227. Considered and no report made, (90) 428.

-----Bill to prevent interments in buildings used for public worship; Presented and read, (42) 175. Order for second reading, (89) 424. Order for second reading discharged, (169-170) 892.

-----Petitions against the Bill: Of Roman Catholic Archbishop of Quebec and the Bishop of Tloa, (81) 405, (94) 457. Of Rev. L. Proulx and others, of Quebec, (101) 480, (104) 490.

-----Petitions from Religious Corporations, for exemption of their Chapels from the operation of the Bill: Of Dame Marie Louise Lapellé Mezières and others,

of Hôtel-Dieu, Montreal, (75) 356, (82) 405. Of Sister Ste. Elizabeth and others, of the Congregation of Notre Dame, Montreal, (75) 357, (82) 405. Of Sister Coutlée and others, Sisters of Charity in charge of the general Hospital at Montreal, (78) 381, (82) 406. Of Very Rev. P. Billaudèle, Superior of the Seminary of St. Sulpice, Montreal, (81) 404, (94) 457. Of Roman Catholic Bishop of Montreal and others, for exemption of the Parish Church of Montreal, (101) 480, (104) 490.

CIVIL LIST:--House resolves to go into Committee to consider of amending the Civil List Acts, and to provide for the salaries of the Speakers of the two Houses, (91) 436-437. Message with despatches relative to reductions in the Civil List, referred, (112) 539. Considered, (165) 866-869, (308) 1512-1518. Seven Resolutions reported, for reducing the salaries of all the Provincial Judges, appointed since 10th Aug., 1850, also of the Attorney General, Heads of Departments, and Speakers of both Houses, and regulating the granting of Pensions, (313-314) 1531-1532. Motion, to recommit Resolutions, to consider of reducing the expenses of the Legislature, and all salaries over £500; Amendment to strike out all after "Legislature," and insert "and the Government Departments," negatived on division; Main motion, negatived on division; Motion, to substitute a Resolution for an inquiry into the administration and cost of management of the various public Departments, negatived on division; Motion, that such an inquiry ought to be extended to the system as well as the details of official management and expenditure, negatived on division; Motion, that the propositions now submitted are wholly inadequate to effect the purpose proposed, negatived on division; Motion, referring to the intimation by the Colonial Secretary relative to the salary of the Governor General being defrayed out of the Imperial Treasury, and declaring it inexpedient to anticipate the action of the Home Government in reference thereto, negatived on division; Motion, to recommit Resolutions, to declare further, that the salary of His Excellency ought to be paid by the Imperial Government, or otherwise that it be reduced, negatived on division; Motion (in amendment to 1st Resolution), that it is inexpedient to reduce the salaries of the Judges, negatived on division; Motions, to limit the reduction of salary to those Judges hereafter appointed, negatived on division; Resolutions agreed to, (314-316) 1532-1538. Vide below.

-----Bill to amend the Act granting a Civil List; Presented and read, (316) 1538. Read second time; Committed; Considered; Reported; To be engrossed, (324) 1563-1564. Passed, (327) 1572-1573. By the Council, (334) 1602. Reserved, (361) 1675.

-----Bill to reduce certain judicial salaries, and to fix the salaries of the Speakers of both Houses; Presented and read, (316) 1538. Read second time; Committed; Considered; Reported; To be engrossed, (324) 1564. Passed, (327) 1573. By the Council, (334) 1602. Reserved, (361) 1675.

-----Vide Accounts and Papers, 27; Governor General, Messages from His Excellency, 2.

CLARENCEVILLE ACADEMY:--Petition of Rev. M. Townsend and others, for aid, (120) 597, (130) 657.

CLERGY RESERVES:--Notice of Motion, for an amendment to Mr. Price's forthcoming Resolution relative to the Clergy Reserves, that it is inexpedient to disturb the existing settlement, (Mr. Cayley), 431.

-----Question, whether the Government will consent to postpone the motion for the Resolution relative to the Clergy Reserves; Agreed to, 450.

-----Notice of Motion, for an amendment to the Clergy Reserve Resolution, (Mr. H. Sherwood), 486.

- Motion for an Address, thanking Her Majesty for her gracious reception of the Address of last Session on the Clergy Reserves, and for the assurance that its prayer ought to be acceded to; Amendment, that it is expedient to pass an Act containing all the provisions intended to be adopted, with a clause suspending its operation until it has received the sanction of the Imperial Parliament, negatived on division; Debate on main motion adjourned, (105) 493-509. Order for resuming Debate, postponed, (113) 544, (118) 572-573, (123) 615-616. Debate resumed; Amendment, that it is inexpedient to disturb existing appropriations or endowments, but that one half the annual fund be apportioned among the Christian Bodies heretofore unprovided for, negatived on division, (128) 637-647. Amendment, to substitute an Address, praying that existing arrangements may remain undisturbed, negatived on division; Amendment, that the Reserves having been already diverted from the purpose for which they were originally granted, it is desirable to divert them from all ecclesiastical purposes and apply them to a general system of Education, negatived on division; Main motion agreed to, and Address ordered, reported, and ordered to be engrossed, (129-130) 647-653.
- Petitions for the sale of the Clergy Reserves, (including, in same Petitions, the Rectory endowments) and the application of the proceeds to the purposes of Education: Of Municipal Council, County of Middlesex, (5) 15, (17) 63. Of Municipal Council of Guelph, (70) 335, (78) 381-382. Of John Neilson and others, of Walpole and Rainham; of James W. Fell and others, of Chippawa; Of Municipality, Township of Willoughby, (103) 488, (110) 535. Of Municipality of Crowland, (128) 636, (134) 669. Of Municipality, Township of Pelham, (139) 703, (150) 751. Of Municipal Council, County of Oxford, (158) 808, (163) 845. Of John Harris and Thomas C. Davidson, for the Grand River Association of Baptists, (308) 1522, (320) 1554.
- Petitions against any further legislation on the subject of the Clergy Reserves, that would interfere with the vested rights of the Clergy of the various Denominations: Of the Lord Bishop of Toronto, in behalf of the Episcopal Conference assembled at Toronto, (51) 224, (61) 285. Of Henry Sillington and others, of Adelaide; Of John Branan and others, of Metcalfe; Of M. Jackson and others, of Middlesex; Of Rev. J.W. Boomer and others, of Galt; Of Rev. George Hallen and others, of Penetanguishene; Of Rev. Robert Blakey and others, of Prescott; Of Donald Fraser and others, of Norval and Esquesing, (103) 488, (111) 536. Of Rev. Robert Harding and others, of Ops and Emily; Of William Carroll and others, of Whitby, &c.; Of Rev. J. Gibson and others, of Georgina, &c., (103) 488, (111) 537. Of J.W. Gamble and others, of Vaughan; Of Rev. H. Patton and others, of Cornwall; Of Henry Rowed and others, of Seymour; Of Rev. Frederick Mack and others, of Essex; Of Rev. Ralph Leeming and others, of Dundas; Of Andrew Pettit and others, of Grimsby, &c.; Of Thomas Paxton and others, of Amherstberg, &c.; Of Joseph Mulligan and others, of Tullamore, &c.; Of John T. Lewis and others, of West Hawkesbury, &c.; Of Rev. George Graham and others, of Nassagaweya; Of Charles Stuart and others, of Port Robinson, &c.; Of Alexander Kirkpatrick and others, of Chippawa, &c.; Of Thomas Bayly and others, of Grafton, &c.; Of Andrew T. Kirby and others, of Halton; Of Robert Stroud and others, of Norwich and Dereham; Of Rev. Charles Brown and others, of do. and Dorchester; Of Rev. A.F. Atkinson and others, of St. Catharines; Of Rev. Charles L. Ingles and others, of Drummondville; Of Rev. J.B. Worrell and others, of Smith's Falls; Of Rev. G.A. Anderson, and others, Mohawks of the Bay of Quinté; Of Rev. Francis Tremayne and others, of Leeds; Of Benjamin Warran and others, of Bellamy; Of Henry Burritt and others, of Marlborough and Oxford, (104) 489, (111) 537. Of Thomas Fisher and others, of Kent; Of J.W. Waddel and others, of Port Stanley; Of John Bennett and others, of Yonge; Of Alexander McDonnell and others, of Prince Edward; Of

R. Rolph and others, of Osnabruck, (109) 534, (119) 581; Of Stuart Harrison and others, of South Elmsley; Of Job Loder and others, of Ancaster; Of James Allen and others, of Montague; Of Thomas Christie and others, of Huron; Of Benjamin Young and others, of Lansdowne; Of Joseph Hinton and others, of Carleton, (110) 534, (119) 581. Of Thomas P.S. Brown and others, of Wentworth, (120) 597, (131) 657-658. Of J.L. Jacobs and others, of Bytown, (142) 725, (152) 763. Of Richard Long and others, of Bradford, Essa, &c.; Of A. Bagshaw and others, of Brock; Of Rev. Edward Denroche and others, of Brockville; Of Rev. Francis Tremayne and others, of Leeds; Of Rev. Robert Blakey and others, of Prescott, (160) 827, (165) 878. Of Rev. S.P. Ramsey and others, of Newmarket, &c.; Of Rev. J. Fletcher and others, of Mono; Of Rev. T.W. Marsh and others, of Pickering; Of F.V. Carey and others, of Napanee; Of J.D. Smith and others, of Nelson and Trafalgar; Of Rev. Edward Denroche and others, of Brockville; Of Benjamin Tett and others, of Newborough, &c.; Of George Hann and others, of Sandwich; Of Rev. E. Morris and others, of Merrickville; Of Robert Ferguson and others, of Kitley, (292) 1432, (299) 1483.

- Petition of the Lord Bishop of Quebec, on behalf of the Episcopal Clergy and Lay Delegates of the Diocese, praying that the Clergy Reserves may not be alienated from their original purpose, (184) 970, (193) 1018.
- Petitions for an early settlement of the Clergy Reserves question: Of Municipality, Township of Guelph, (36) 150, (40) 171. Of Municipal Council, County of Waterloo, (101) 480, (104) 490.
- Petition of Municipal Council, County of Simcoe, for authority to levy a tax on Clergy Reserve lands when sold and the first instalment paid thereon, (158) 808, (162) 845.
- Motion, to refer the Petition of Mr. Cameron, of Thorah, a settler on a Clergy Reserve lot, complaining of injustice in reference thereto, to a Select Committee; Withdrawn Motion, 552.
- Vide Accounts and Papers, 28-31; Addresses, To Her Majesty, 5-8; Addresses, To His Excellency, 13; Governor General, Messages from His Excellency, 2, 13.

CLERK OF THE HOUSE:--To refund fees paid on certain Private Bills, (183) 955, (299) 1483, (358) 1666.

- To prepare a Statement of all payments made by him, for contingencies and otherwise, since the beginning of the Session, (184) 957-963. Laid on the Table, (189) 993.
- Resolution, That Mr. Speaker do direct one of the Clerks in the office to remain in Toronto (after removal of the Parliament to Quebec), to keep an office, with fyles of the Journals, Statutes, &c., and to attend to the distribution of the Journals throughout Upper Canada, (356) 1661-1662.

CLERK OF THE PEACE, MONTREAL:--Vide Justice, Administration of.

CLERKS OF ASSIZE:--Bill to regulate the office of Clerk of Assize in Upper Canada; Presented and read, (46) 198. Order for second reading, (89) 426, (125) 619. Read second time; Referred, (170) 892-893. Reported; Committed, (182) 949. Considered; Reported; To be engrossed, (339) 1617. Read third time; Ryder added, for continuing in office William A. Campbell, as Clerk of Assize for York, and regulating his emoluments, &c., (347-348) 1638-1639. Additional Ryder; Bill passed (as a Bill to require the Deputy Clerks of the Crown to act as Clerks of Assize), (348) 1639. By the Council, (357) 1664. Royal Assent, (360) 1671. [14 & 15 Vic., c. 118.]

CLERKS OF THE CROWN AND PLEAS:--Vide Accounts and Papers, 32; Addresses, To His Excellency, 33.

COBOURG AND GRAFTON ROAD COMPANY:--Petition of John C. Boswell and others, praying that the said Company may be compelled to compound for tolls with persons residing on the line of the road, (118) 580, (121) 598.

COCHU, F.X.:--Petition of, for permission to file his Indentures with the Board of Notaries for Montreal, notwithstanding the expiration of the time allowed therefor, (39) 169, (49) 215. Vide Notaries.

COLOUR, PERSONS OF:--Petition of Edwin Larwill and others, of Chatham, for the discouragement of Negro immigration into Canada, (78) 381, (82) 406.

-----Petition of Moses Loin, and others, coloured inhabitants of London, praying that performances of "Ethiopian Minstrels," and other caricatures of their class, may be prohibited, (91) 435, (101) 481.

COMMERCIAL BANK, MIDLAND DISTRICT:--Vide Accounts and Papers, 10.

COMMISSIONERS' COURTS, LOWER CANADA:--Petitions for the abolition of the same:
Of A. Dugas and others, of Leinster; Of John McBean and others, of Berthier;
Of T.D. Latour and others, of Lanoraie, (139) 703, (150) 751.

-----Vide Judgments.

COMMITTEES:--Resolution, for the appointment of Seven Standing Committees, (4) 7.
Select Committee appointed to prepare lists of members to compose such Committees, (5) 15. Report; Order for consideration, (18) 66. Considered, and concurred in by the House, (22) 93. Vide Bills, Private; Contingencies; Laws, Expiring; Orders, Standing; Printing; Privileges; Railroads.

-----Committees of the whole, (32) 119, (36) 134, (56) 241-242, 244-246, (59) 261-262, 262-263, (60) 264-277, (69) 319, (69-70) 319, (81) 394-396, (89) 424, (90) 427-428, 428, (93) 441-449, (96) 462, 463-464, 464-466, (106) 510, (109) 526, 527-529, (120) 583-584, 584-591, (138) 695, 695-698, (140) 705-706, (142) 716, 716-719, (144-145) 729, (145) 730-731, (151-152) 756, (152) 756-760, 760, (157) 791, (158) 794-795, 795-801, (160) 828, (160-161) 828, (161) 828-829, 829, (163-164) 848-850, (164-165) 857-866, (165) 867-869, (171) 900-902, (172) 903-905, 905-906, 907, 907-910, (174) 922, (175) 923, 924, 924-925, (176) 925, 925-926, 926, (181) 943, (184) 964, (185) 971, (186) 974, (187) 975, 977, (189) 980, 981-987, (192) 1007-1008, (195) 1021, (196) 1036-1037, 1037-1038, (196-197) 1038, (198) 1043, (201) 1056-1057, (209) 1114, 1114-1115, (210) 1115-1116, (211) 1127-1128, (216-217) 1147-1152, (217) 1153, 1154, (229) 1187-1188, (232) 1197-1203, 1203, (233) 1208, (235-236) 1217-1219, (240-241) 1239-1241, 1242, 1243, (246) 1261-1262, (248) 1267, 1268, (250) 1278-1285, 1285, (251) 1286, (253) 1298-1299, (254) 1299, (225) 1301, 1302, (256) 1303, (261) 1317-1319, (262) 1319-1320, 1320-1321, 1321, (262-263) 1322, (263) 1322-1324, 1324-1325, (264-265) 1331, (265) 1331-1332, 1332, (265-266) 1334, (266) 1335, 1335-1345, (266-267) 1352, (267) 1354, (268) 1354, 1354-1355, 1355, 1355-1357, (270) 1361, 1362, (270-271) 1363, (271) 1363, (279) 1390, (282-283) 1400-1401, (286) 1416, (286-287) 1417, (287-288) 1418-1419, (288) 1419, 1419-1420, 1420, (289) 1426, (290) 1428, (291) 1428, 1430, (299) 1484-1485, (300) 1486, 1486-1487, 1487, (301) 1489-1492, 1492-1493, (305) 1504-1505, (308) 1512-1517, (316) 1539, (316-317) 1539, (317) 1539-1540, 1540, 1540-1541, 1541, (320) 1555, (321) 1557, (321-322) 1557, (322) 1559, (323) 1560, 1560-1561, 1561, 1561-1562, (324) 1563, 1564, (325) 1565, 1566, (326) 1567-1568, 1568, (331) 1594, (332) 1595, 1596, 1596-1597, (334) 1600-1602, (339) 1616, 1617, (340) 1620, (341) 1622, (342) 1625-1626, (343) 1626, 1627, 1628, (343-344) 1628, (344) 1628, (345) 1634, (349) 1641, (350) 1644, (352) 1649, (353) 1651, (354) 1653, 1654, (355) 1655.

-----Motions, for Committees of the whole, negatived, (140-141) 707-712, (159) 816-820, (202) 1059-1070, (209) 1110-1114.

-----Rise without reporting, (90) 428, (174) 922, (232) 1203, (326) 1568, (339) 1617, (354) 1654.

-----Instructions to Committees of the whole, (217) 1154, (236) 1221, (322) 1558.

-----Question for receiving a Report, postponed three months, (261) 1316-1317.

-----Select Committees appointed or composed, (21) 91, (37) 152, (41) 172, (43) 182-183, (44) 186, (46) 198, (47) 201, (50) 217, (52) 227, (53) 228, (71) 337, (73) 346, (80-81) 387-393, (88) 421, 423, (89) 426, 427, (90) 429, (96) 462, 464, (112) 538, (123-124) 616-617, (127) 625, 626, (133) 665-666, (136) 674, (138) 695, (142) 715, 716, (150) 751, (151) 755, (160) 827, (170) 893, (173) 916, (174-175) 922, (175) 923-924, 924, (176) 926, (179) 936, (180) 939, (192) 1005, (214) 1135, (228) 1187, (238) 1232, (254) 1300, (255) 1301, (280) 1391, (309) 1522-1523, 1523, (344) 1631.

-----Motions for appointment of Select or Special Committees, negatived, (46) 197-198, (54) 232, (117) 569, (164) 856, (202-203) 1070.

-----Motions to refer petitions to Committees, negatived, (105) 491, (108) 523-524, (115) 557, (134) 669-670, (139) 704.

-----Special Committees, (170) 894, (180) 942.

-----Standing Committees:--Vide above.

-----Joint Committee:--Vide Library.

-----Committee discharged, (72) 339.

-----Members added, (66) 302, (69) 317, (106) 511, (163) 846, 847, (175) 923, (218) 1155, (226) 1180.

-----Motion for adding Members, negatived, (100) 475.

-----Instructions to Select Committees, (35) 133, (45) 187, (76-77) 359, (88) 423, (100) 475, (112-113) 540, (113) 540, (175) 923, (202) 1059, (218) 1155, (251) 1293, (254) 1300-1301. Joint Committee, (199) 1047, (201) 1057, (212) 1130, (249) 1275.

-----Motions for Instructions, negatived, (159) 811-813, (247) 1264-1265.

-----Further powers granted, (37) 152. To report from time to time, (91) 436.

-----Leave granted to a Committee to have their proceedings printed from time to time, (92) 439.

-----Reports considered by the House, (71-72) 337, (206) 1096, (320) 1555. In Committee of the whole, (41) 172-174, (59) 260, (121) 599.

-----Reports concurred in by the House, (72) 337, (102-103) 483, (206) 1096, (353) 1650. Amended, (356) 1660-1663.

-----Reports referred back for reconsideration, (56) 246. To allow proof of notice not before submitted (on a Private Bill), (85) 415.

COMMON PLEAS:--Vide Accounts and Papers, 32; Addresses, To His Excellency, 33.

COMMUTATION OF TENURE:--Vide Seigniorial Tenure.

COMPLAINT:--Honorable Mr. Boulton (Member for Norfolk) complains of an assault made upon him in one of the corridors, by Mr. Watts (Member for Drummond); Mr. Watts heard, in answer thereto; Complaint and answer to be entered on the Journals, (192-193) 1008-1011. Vide Privileges.

COMPTON ACADEMY:--Petition of J. Lougee and others, for aid, (17) 62, (20) 80.

CONCILIATION COURTS:--Bill to establish Conciliation Courts in Upper Canada; Notice of Motion, 9. Presented and read, (22) 101-102. Order for second reading, (57) 247. Question for second reading postponed six months, (78) 363-373.

CONFERENCES:--Desired by the House upon the subject of the Message from the Council, yesterday, announcing the time appointed by His Excellency for receiving the joint Address to Her Majesty relative to the Timber Duties; Committee appointed to draw up Reasons for desiring Conference, (53) 228. Report of Reasons (relative to the most proper form of agreeing to joint addresses, and of presenting the same), (58) 257-258. Conference agreed to by the Council; Managers appointed; Report delivery of Reasons, (64) 292. Further conference on the subject desired by the Council; Agreed to; Managers appointed, (73) 344-345. Report of Conference; Referred (with "Reasons" for first Conference) to a Select Committee, with an Instruction to search into precedents and report their opinions, (76-77) 358-359. Report, (97-100) 466-473. Concurred in; Further Conference desired, to communicate a copy of Report, (102-103) 483. Council to answer by Messenger (104) 490. Agreed to; Managers appointed, (107-108) 518-519. Report delivery of the same, (108) 519.

CONSTABLES:--Petition of Municipal Council, United Counties of Huron, &c., praying that the appointment of County Constables may be left to the discretion of the Magistrates in Quarter Sessions, (158) 808, (162) 845.

-----Vide Justices.

CONTINGENCIES:--Standing Committee on Contingencies appointed, (18) 66, (22) 93.

-----Petitions referred: Of André Leroux Cardinal (loss by destruction of Parliament House), (150) 751. Of William Winder (do.), (199) 1047. Of Paul Kane (for aid to complete sketches of Canadian scenery, &c.), (264) 1331.

-----FIRST REPORT: Of Committee on Accounts of last Session and Recess, (143-144) 725-727, 728. Printed, (144) 727. Vide Addresses, To His Excellency, 40. Concurred in, (206) 1096. SECOND REPORT: On the references, and on the officers of the House, &c., (309-313) 1523-1530. Printed; Committed, (313) 1530. Considered; Four Resolutions reported; 1st Resolution, vide Addresses, To His Excellency, 71. 2nd, vide Clerk of the House. And 3rd (amending the 2nd Report), agreed to; 4th Resolution (concurring in 2nd Report) read; Amendments, for recommitting the Report, and for putting the question separately on each paragraph thereof, severally negatived, and Resolution agreed to, (356) 1660-1663.

-----Clerk of the House to prepare a Statement of all payments made by him, for contingencies or otherwise, since the beginning of the Session, (184) 957-963. Laid before the House, (189) 993. Vide also Members.

-----Vide Civil List.

CONVENTION OF BRITISH NORTH AMERICAN PROVINCES:--Motion, for a committee of the whole, to consider of Addressing Her Majesty, praying her to authorize a convention to be called from the different Provinces, to frame a constitution for their future government, negatived on division, (202) 1059-1070.

COPY-RIGHT WORKS:--Vide Accounts and Papers, 33.

CORRECTION, HOUSES OF:--Vide Gaols.

COTTON, JAMES:--Petition of, for an Act to vest in him, a road allowance in the second range of Indian lands at Port Credit, and certain streets in the village, (45) 195, (51) 225. Referred to Committee on Standing Orders, (69) 317. Report, that notice has not been given, (85) 415.

COTTON, ROBERT:--Petition of, for the sale to him of a certain road allowance running through his lands near Port Credit, (57) 256, (61) 285. Referred to

Committee on Standing Orders, (69) 317. Report, that notice has not been given, (85) 415.

COUDRES, ISLE AUX:--Petition of B. Tremblay and others, for aid to drain the swamps in l'Isle aux Coudres, Saguenay, (19) 78, (33) 125.

-----Petition of L. Harvey and others, for aid to construct a wharf on the said Island, (19) 79, (33) 125.

COUNSEL:--Vide Allen, Henry; Seigniorial Tenure.

COURTS:--Bill to authorize Her Majesty's subjects to plead for themselves or others, in all Courts, and to abolish the distinction of Queen's Counsel; Notice of Motion, 308. Presented and read, (105) 493. Question for second reading, postponed three months, (232) 1203-1207.

-----Bill to amend the Act of 12 Vic., relative to the Courts of Original Civil Jurisdiction in Lower Canada; Presented and read, (117) 572. Read second time; Referred, (247) 1266.

-----Bill to alter the periods for holding certain Courts in the County of York; Presented and read, (145) 729. Read second time; To be engrossed, (162) 832. Passed, (169) 887. By the Council, (183) 955. Royal Assent, (229) 1189. [14 & 15 Vic., c. 15.]

CRAIG'S ROAD:--Vide Accounts and Papers, 34; Addresses, To His Excellency, 52.

CRAMAHE AND MURRAY:--Petition of Joseph Bettés and others, for the formation of a new township out of portions of those townships, (109-110) 534, (118) 580. Referred to Committee on Standing Orders, (134-135) 670. Report thereon, (139) 705. Bill presented and read, (160) 827. Read second time; Referred to Committee on Private Bills, (174) 921. Report that Preamble has not been proved, (204) 1080.

-----Petitions against: Of Municipal Council, United Counties of Northumberland and Durham, (78) 381, (82) 406. Of Municipality, Township of Murray, (118) 580, (120) 598.

CRANBERRY MARSH:--Petition of Municipality, Township of Wainfleet, for authority to purchase the "Great Cranberry Marsh," for draining and improvement thereof, (128) 636, (134) 669. Referred to Committee on Standing Orders, (139) 704. Report thereon, (150) 752. Bill presented and read, (184) 970-971. Read second time; Referred, (237) 1231. Reported; Committed, (264) 1331. Considered; Reported; To be engrossed, (271) 1363. Passed, (282) 1399. Returned from the Council, with amendments, (316) 1538. Considered, and agreed to, (318) 1544. Royal Assent, (360) 1673. [14 & 15 Vic., c. 139.]

-----Petition of Municipality, Township of Pelham, in favor, (139) 703, (150) 751.

CRIMINAL LAW:--Bill for the further amendment of the administration of the Criminal Law; Presented and read, (5) 16. Order for second reading, (39) 161. Read second time; Committed, (44) 184-185. Consideration postponed, (89) 424. Considered; Reported; To be engrossed, (96) 462. Passed, (106) 511. By the Council, (195) 1021. Royal Assent, (229) 1189. [14 & 15 Vic., c. 13.]

-----Bill to amend and consolidate the Criminal Laws; Presented and read, (66) 302. Read second time; Referred; Bill to establish a code of Criminal Procedure, also referred, (127) 625. Report recommending a revision of the

Bills by a Commission to be appointed by the Government, (249-250) 1276.
Vide Addresses, To His Excellency, 69.

-----Vide also Attornies, County.

CRIMINAL PROCEDURE:--Bill to establish a code of criminal Procedure; Presented and read, (66) 302-303. Read second time; Referred to Committee on the Bill to consolidate the Criminal Law, (127) 625. Vide Criminal Law.

CRIMINAL PROSECUTIONS:--Bill for appointing Counsel for conducting criminal prosecutions; Presented and read, (140) 706-707. Order for second reading discharged; Bill withdrawn, (283) 1403-1405.

CROWN PATENTS:--Vide Patents.

CRUELTY TO ANIMALS:--Bill for the prevention of cruelty to animals; Presented and read, (31) 119. Read second time; Committed, (74) 349. Considered, and no report made, (174) 922.

CURRENCY:--Notice of Motion, for House in Committee to consider of adopting a decimal system of currency, 802. House goes into Committee, to consider of amending the Act 4 & 5 Vic., c. 93, and of adopting a decimal currency, &c.; Report progress and several Resolutions for extending the provisions of the said Act to certain American coins, (217) 1153. Vide below. Several additional Resolutions, for adopting a decimal currency, reported and agreed to, (240-241) 1239-1242. Vide below.

-----Bill to extend the provisions of the currency Act to certain coins coined after the periods limited in the said Act; Presented and read, (217) 1154. Read second time; To be engrossed, (266) 1334. Passed, (271) 1364-1365. By the Council, (285) 1414. Royal Assent, (358) 1667. [14 & 15 Vic., c. 48.]

-----Bill to provide for introducing a decimal currency, and to amend the currency laws; Presented and read, (241) 1242. Read second time; To be engrossed, (266) 1334. Passed, (271-272) 1365. By the Council, (285) 1413. Royal Assent, (358) 1667. [14 & 15 Vic., c. 47.]

-----Vide Accounts and Papers, 35, 36; Governor General, Messages from His Excellency, 8, 9.

CUSTOMS:--Petition of D. Paterson and S.F. Urquhart, complaining of the conduct and incapacity of the Collector at Toronto, and praying an investigation, (210) 1125, (226) 1180. Motion, to refer Petition, negatived on division, (248) 1272-1274.

-----Notices of Motion, for a Committee of the whole to consider of reducing the Customs Duties on imports, with the exception of those articles which enter into competition with the productions of the Province, 374, 574. Motion, negatived on division, (159) 816-820.

-----Vide Accounts and Papers, 37; Addresses, To His Excellency, 27; Trade.

D.

DARTNELL, EDWARD TAYLOR:--Petition of, for authority to practice as an Attorney, Solicitor, and Proctor, (45) 195, (51) 225. Referred to Committee on Standing Orders, (66) 302. Report thereon, (72) 338-339. Bill presented and read, (87) 419. Question for second reading, postponed six months, (131) 658-659.

DAWN AND SOMBRA:--Petition of George Duck and others, for an alteration in the boundaries of certain lots in those townships, (78) 381, (82) 406. Referred to Committee of whole on the Territorial Divisions Bill, (123) 602.

DEAF MUTES:--Question, concerning Legislation to protect their welfare; Answer, 911.

DEBT, IMPRISONMENT FOR:--Bill to abolish the same in Upper Canada (Honorable Mr. Boulton); Presented and read, (38) 154. Order for second reading, (57) 247, (88) 423, (96) 462. Read second time; Referred, (123-124) 616-617. Bill to abolish, &c., also referred, (124) 617. Vide below. Both Bills reported; Reprinted; Both committed; Return of Debtors in prison and on bail, also referred, (177) 931. Considered, (291) 1428. Further considered, and no report made, (326) 1568.

-----Bill to abolish the same, and to render more effectual the remedy by writs of execution in Upper Canada (Mr. Wilson); Presented and read, (74) 347. Referred to Committee on above Bill, (124) 617.

-----Petition of Municipal Council, United Counties of Essex and Lambton, for an Act to explain the Act relative to imprisonment for debt in Upper Canada, so as to guarantee its benefits to the residents of either of the said Counties in certain cases, (158) 808, (163) 845.

DEBT, PUBLIC:--Vide Accounts and Papers, 38.

DEBTORS:--Bill to enable creditors to attach the effects of debtors about to leave the Province, in cases under £10; Presented and read, (42) 175. Read second time; Committed, (88) 423. Considered; Reported; To be engrossed, (175) 923. Passed, (183) 956. Returned from the Council, with an amendment, (200) 1054. Considered, and agreed to, (204) 1080. Royal Assent, (230) 1191. [14 & 15 Vic., c. 18.]

-----Bill to extend the provisions of the Act for the relief of insolvent debtors; Presented and read, (86) 418. Read second time; Committed, (322) 1558. Considered; Reported; To be engrossed, (355) 1655. Passed, (355) 1657. By the Council, (358) 1666. Royal Assent, (360) 1671. [14 & 15 Vic., c. 116.]

-----Select Committee appointed to inquire whether any alterations can be advantageously made in the Act 8 Vic., c. 48 (at present applicable only to Upper Canada) to meet the case of individuals becoming insolvent who are without a remedy in consequence of there being no Bankrupt Act, (73) 346.

-----Bill to exempt certain articles from seizure and sale for debt; Notice of Motion, 684.

-----Vide Accounts and Papers, 39; Addresses, To His Excellency, 10.

DECEASED PERSONS, ESTATE OF:--Bill for the better administration of the estates of deceased persons; Presented and read, (5) 16. Order for second reading, (39) 161. Read second time; Committed, (44) 184. Consideration postponed, (88-89) 423. Order discharged, and Bill referred, (96) 464. Bill to regulate Probate and Surrogate Courts also referred, (126) 623.

DEER:--Vide Game.

DEFENDANTS:--Bill to provide a remedy against absent defendants; Presented and read, (22) 92. Order for second reading, (56-57) 247. Read second time; Committed, (74) 349-350. Considered; Reported; To be engrossed, (181) 943. Passed, (184) 957. By the Council, (199) 1053. Royal Assent, (230) 1190. [14 & 15 Vic., c. 10.]

DEPUTY ADJUTANT GENERAL, DEPARTMENT OF:--Question, whether it is the intention of the Ministry to maintain an office of the department of the Deputy Adjutant General, Canada West, in Upper Canada; Answer, 308.

DE TONNANCOUR, CHARLES A.C.:--Petition of, for remuneration for his services as Coroner for the District of St. Francis from 1831 to 1839, (130) 657, (137) 694.

DISABLED AND INFIRM PERSONS:--Petition of Municipal Council, County of Haldimand, for the adoption of measures for relieving the disabled and infirm, (39) 169, (49) 215.

DIVISION COURTS:--Bill to extend the jurisdiction of the Division Courts in Upper Canada; Presented and read, (112) 539-540. Question for second reading, negatived on division, and postponed six months, (238) 1232-1233.

-----House goes into Committee to consider of providing, out of the County Fee Fund and the Consolidated Revenue Fund, for remunerating the Recorders of Cities for holding the Division Courts therein (His Excellency's recommendation being signified), (161) 829. Resolution reported and agreed to, (169) 887. Referred to Committee of whole on Bill to amend the Municipal Act of 1849, with an Instruction to insert a clause in accordance therewith, (217) 1154. Vide Municipalities (Upper Canada).

-----Petitions for such an amendment of the Division Courts Act as to authorize the suing of a party in the County where the debt has been contracted: Of Whittemore, Rutherford & Company and others, of Toronto, (93) 456, (102) 482. Of Council of Toronto Board of Trade, (101) 480, (104) 490. Of Municipality, Township of York, (165) 878, (173) 915.

-----Vide Accounts and Papers, 40; Addresses, To His Excellency, 8.

DIVISION LINE:--Vide Boundary Line.

DOAN, ROBERT:--Petition of, for compensation for the destruction of his house during the Rebellion in Upper Canada, (60) 284, (71) 336.

DOWER:--Bill to facilitate the barring of Dower by married women in Upper Canada; Presented and read, (135) 671. Order for second reading, discharged; Bill withdrawn, (254) 1300.

-----Bill to amend the law of Dower in Upper Canada; From the Council; Read first time, (291) 1430.

DRUMMOND:--Bill to transfer the place of meeting of Municipality No. 2, in that County, from French Village to Stanfold; Presented and read, (153) 764. Read second time; Referred to Committee on Private Bills, (174) 921. Reported, (198) 1046. To be engrossed, (199) 1047. Passed, (203) 1079. By the Council, (216) 1146. Royal Assent, (230) 1191. [14 & 15 Vic., c. 28.]
-----Vide Sherbrooke, Drummond, and Megantic; Yamaska (County).

DUCHENE, RIVER:--Bill to explain certain Acts for the improvement of that river; Presented and read, (46) 200. Read second time; To be engrossed, (89) 427. Passed, (93) 440. By the Council, (115) 557. Royal Assent, (229) 1188. [14 & 15 Vic., c. 29.]

DUELLING:--Leave granted to present a Bill to prevent Duelling, (112) 540. Not presented.

DUMFRIES:--Petition of C. McGeorge and others, praying that that township (or the

Village of Ayr) may be attached to the County of Brant, (57) 256, (61) 286.

E.

EASTERN TOWNSHIPS (LOWER CANADA):--Select Committee appointed to inquire into the causes which retard the settlement of the Eastern Townships, and to report on the best means for facilitating their settlement, (43) 182-183. Petitions for adoption of measures for promoting their settlement, referred, (52) 227. Leave to report from time to time, (91) 436. First Report; Printed, (94) 458. Petitions relative to the opening of Roads in certain Townships, referred, (102) 483, (134) 670, (214-215) 1143, (226) 1180. Second Report; 1,000 copies of both Reports to be printed, (229) 1483.

-----House goes into Committee to consider of imposing a tax on lands in the Eastern Townships, for the purpose of opening up extensive means of communication therein, (320) 1555. Resolution reported and agreed to, (331) 1593.

-----Bill to facilitate the settlement of the Eastern Townships; Presented and read, (331) 1593-1594.

-----Petitions for adoption of measures for the colonization and improvement of those Townships, and the opening and improvement of certain roads therein: Of Rev. J.H. Dorion and others, Roman Catholic Missionaries, (5) 15, (18) 63-64. Printed, (79) 382. Of Rev. Antoine Racine and others, of Stanfold, &c.; Of M. Noel and others, of Arthabaska, &c., (6) 19, (19) 79. All referred to the Committee on the subject, (52) 227. Vide above.

-----Petition of Rev. Antoine Racine and others, for construction of a turnpike road from the Seignior of Bécancour, through Bulstrode, to the 10th Concession of Stanfold, to promote the settlement of the Eastern Townships, (45) 195, (51) 224.

-----Petition of Rev. L. Provancher and others, of Tring, for completion of the Lambton Road, and erection of each Township into a Municipal District, (78) 381, (82) 406.

-----Vide also Roads and Bridges.

EDUCATION:--Bill to repeal the provision limiting the distance between the County town and any additional grammar school in the same County, in Upper Canada; Presented and read, (91) 437. Read second time; Committed, (197) 1039. Considered; Reported; To be engrossed, (321-322) 1557-1558. Passed, (330) 1592. By the Council, (342) 1625. Royal Assent, (360) 1672. [14 & 15 Vic., c. 125.]

-----Bill to amend and explain the School Acts in force in Lower Canada; Presented and read, (95) 460. Order for second reading discharged; Bill withdrawn, (326) 1568.

-----Petitions of Joseph T. Dutton, of Montreal, for amendments to the above Bill, (101) 480, (104) 490.

-----Petition of Charles Dion, Association of Teachers of Quebec, against the Bill, (165) 878, (172) 915.

-----House goes into Committee, to consider of providing for the support of a Normal School in Lower Canada; and for the payment of certain Inspectors of Common Schools (His Excellency's recommendation being signified), (171) 900-902. Resolution, providing therefor out of the Common School Fund, or the Jesuits' Estate Fund, reported and agreed to, (174) 921.

-----Bill to provide for establishment of a Normal School, and further to promote education in Lower Canada; Presented and read, (174) 921. Read second time; Committed, (308) 1512. Considered, (324) 1563. Reported; To be engrossed,

- (331) 1594-1595. Passed, (338) 1615. By the Council, (345) 1633. Royal Assent, (359) 1670. [14 & 15 Vic., c. 97.]
- Bill to amend Act of 13 & 14 Victoria, for the establishment of Common Schools in Upper Canada (Mr. Mackenzie); Presented and read, (282) 1399.
- Petitions for repeal or amendment of the Education Law of Lower Canada: Of F.X. Poulin and others, of St. Germain, (19) 78, (33) 124. Of Charles Dion and others, of Quebec; Of André Cimon and others, of Baie St. Paul, (45) 196, (52) 226. Of F. Massicotte and others, of Ste. Geneviève de Batiscan, (48) 214, (58) 257. Printed, (58) 258. Of Joseph Beausoleil and others, of St. Felix de Valois, (128) 636, (134) 668. Of Honorable Peter McGill and others, of Montreal; Of Rev. Robert McGill and others, Board of School Commissioners, Montreal, (128) 636, (134) 669. Of Rev. Henry Wilkes and Samuel Phillips, for Montreal Protestant Board of Examiners, (137) 694, (139) 704. Of William Smith and S.A. Stevens, for School Commissioners of Brompton; Of John Oswald and others, of St. Augustin and St. Scholastique; Of James Clark and others, of St. Hermas; Of John Stark and others, of St. Benoit and St. Eustache, (149) 750, (154-155) 780.
- Petitions for amendments to the Common School Act of Upper Canada: Of Municipal Council of Prince Edward, (36) 149, (40) 170. Of Rev. Oliver Kelly and others, of Brockville, (45) 195, (51) 225. Of Municipal Council, United Counties of Leeds and Grenville, (120) 597, (130) 657. Of Municipal Council, County of York, (134) 668, (139) 704.
- Petitions for aid: Of Rev. S.L. Beaubien and others, for a school house for girls in St. Thomas, (22) 101, (37) 151. Of Rev. F. Perrault and others, for further aid for schools in Parish of Ste. Brigide de Monnoir, (91) 436, (102) 482. Of Archdeacon Stuart and others, for erection, &c., of a school house at Kingston, (158) 808, (162) 845. Of Louis C. Lefrançois and others, for aid to erect a school house in Château Richer, (165) 878, (173) 915.
- Petitions for a provision for establishment of separate schools: Of the Lord Bishop of Toronto (for the Church of England), (51) 224, (61) 285. Of Michael Brennan and others, of Belleville (for Roman Catholics), (93) 456, (102) 482. Vide Rights, Restoration of.
- Petition of Rev. J.B. Howard, of Peterborough, for a more effectual provision for grammar schools in Upper Canada, (70) 335, (78) 381.
- Petition of C.P. Treadwell, Esquire, of L'Orignal, for the purchase of one set of Holbroke's School Apparatus for each constituency, (110) 534, (118) 580-581.
- Petition of James Carpenter and others, praying that the number of pupils required to be in attendance at Demorestville (P. Edward) may be reduced, (128) 636, (134) 668.
- Vide Accounts and Papers, 41, 42, 61, 101; Addresses, To His Excellency, 26; Rights, Restoration of.

EDWARDSBURGH:--Petition of Thomas Ferguson and others, for amendment to the Act regulating the survey of the 8th Concession thereof, (39) 169, (49) 215. Referred to Committee on Standing Orders, (134-135) 670. Report, that notice has not been given, (139) 705.

EJECTMENTS:--Bill to alter the mode of proceeding in actions of ejectment; Presented and read, (108) 525. Read second time; Referred, (238) 1232. Reported; Committed, (286) 1415. Considered; Reprinted, as amended, (325) 1566. Reported; To be engrossed, (334) 1600. Motion, to postpone third reading one month, negatived on division; Read third time; Ryder added; Passed, (345) 1632-1633. By the Council, (353) 1651. Royal Assent, (360) 1671. [14 & 15 Vic., c. 114.]

ELECTIONS:--Bill to extend the Elective Franchise; Presented and read, (95) 460.
 -----Bill to fix the place for holding the polls for the election of Members of Parliament, in townships divided into wards, in Upper Canada; Presented and read, (156) 782-783. Read second time; Committed, (209) 1115. Considered; Reported; To be engrossed, (265) 1331-1332. Passed, (272) 1365. Returned from the Council, with amendments, (291) 1429. Considered, and amended, (313) 1530-1531. Amendments agreed to by the Council, (324) 1562. Royal Assent, (360) 1671. [14 & 15 Vic., c. 108.]
 -----Bill to amend the Election Laws as regards the return of writs; Presented and read, (260) 1315. Read second time; Committed; Considered; Reported; To be engrossed, (324) 1564-1565. Passed, (330) 1592. By the Council, (342) 1625. Royal Assent, (359) 1669. [14 & 15 Vic., c. 87.]

WRITS ISSUED DURING THE RECESS:

For What Place--	In The Room Of--	On What Account--
Kamouraska.....	Pierre Canac dit Marquis, Esquire.....	Deceased, (1) 1.
Haldimand.....	David Thompson, Esquire.....	Deceased, (1) 1.

WRIT ISSUED DURING THE SESSION:

For What Place--	In The Room Of--	On What Account--
East Riding of York.....	Peter Perry, Esquire....	Deceased, (330) 1592.

-----Vide Privileges.

ELECTIONS, CONTROVERTED:--Bill to provide by one general Act for the trial of all Parliamentary Election Petitions; Presented and read, (46) 199. Read second time; Committed, (70) 319-320. Considered, (158) 795-801, (172) 905-906, 907, (184) 964. Resolution, (vide below), referred, (172) 906. Reported; To be engrossed, (186) 974. Passed, (194) 1019. By the Council, (212) 1130. Royal Assent, (229) 1190. [14 & 15 Vic., c. 1.]

-----House goes into Committee, to consider of providing for the remuneration of any Circuit or County Judge who may be employed in the execution of a Commission for the examination of witnesses on the trial of any Parliamentary Election Petition (His Excellency's recommendation being signified), (161) 828-829. Resolution reported and agreed to, (169) 888. Referred to Committee of whole on the above Bill, (172) 906.

ELMSLEY, NORTH:--Vide Montague and North Elmsley.

EMIGRATION:--Notice of Motion, for House in Committee to consider of amending the Emigrant Act, 209. Motion, (56) 241-242. Resolution reported and agreed to, (60) 264.

-----Bill to provide for the Commutation of certain bonds required by the Emigrant Act; Presented and read, (60) 264. Read second time; To be engrossed, (93) 440-441. Passed, (106) 511. By the Council, (134) 669. Royal Assent, (229) 1188. [14 & 15 Vic., c. 3.]

-----House goes into Committee to consider of further amending the Emigrant Act, 12 Vic., c. 6; Resolutions reducing the tax on Emigrants, and declaring the same applicable solely for aiding destitute Emigrants, reported and agreed to, (286-287) 1417.

-----Bill to amend the Emigrant Act, by reducing the tax on Emigrants, &c.; Presented and read, (287) 1417. Read second time; Committed; Considered; Reported; To be engrossed, (300) 1486-1487. Passed, (304) 1502-1503. By the Council, (324) 1562. Royal Assent, (359) 1669. [14 & 15 Vic., c. 78.]

EMILY:--Petition of the Municipality of Emily, praying that that township may not be separated from Peterborough, (70) 335, (79) 382.

ERMATINGER, MR.:--Vide Accounts and Papers, 75; Addresses, To His Excellency, 51.

ESTATE OF DECEASED PERSONS:--Vide Deceased Persons; Foreign Executors; Intestate Estates.

ESTIMATES (CIVIL GOVERNMENT):--Vide Accounts and Papers, 43, 44; Governor General, Messages from His Excellency, 2, 4, 11.

EVIDENCE:--Bill to amend the Act for improving the law of evidence in Upper Canada; Presented and read, (21) 92. Read second time; Committed, (44) 185. Consideration postponed, (89) 424. Considered; Reported; To be engrossed, (96) 464-466. Passed, (107) 511-512. Returned from the Council, with amendments, (204) 1081. Considered, and amended, (215) 1143-1144. The vote amending the amendments, rescinded and amendments of the Council agreed to, (250) 1276-1277. Royal Assent, (359) 1668. [14 & 15 Vic., c. 66.]

-----Bill to improve the law of evidence in Lower Canada; Presented and read, (135) 672. Read second time; Committed, (254) 1300.

-----Vide Witnesses.

EVIRS, JOHN:--Petition of, for compensation for the destruction of his barn, in consequence of his acting as interpreter to the assessor of school rates, (110) 534, (118) 580.

EXECUTION:--Bill to prevent unnecessary sacrifice of property sold under execution in Upper Canada; Presented and read, (56) 243. Order for second reading, (90) 429. Read second time; Referred, with an Instruction to leave out the preamble to the 6th clause, (100) 474-475.

-----Bill to render certain effects liable to seizure under execution in Upper Canada; Presented and read, (56) 244. Order for second reading, (127) 624. Order for second reading discharged; Bill withdrawn, (179) 936.

-----Bill to exempt tools, clothing, bedding, &c., to the value of £62 10s., from seizure under execution, &c.; Presented and read, (227) 1183.

-----Motion, for leave to bring in a Bill to render more effectual the remedy by writs of execution in Upper Canada; Superseded by calling the Orders of the Day, (344-345) 1632.

-----Vide Debt, Imprisonment for.

EXECUTORS:--Vide Deceased Persons; Foreign Executors.

EXHIBITION OF 1851:--Vide Accounts and Papers, 53.

F.

FARM, MODEL:--Petition of N. LaRue and others, for establishment of a model farm in the 2nd Division of Montmorency, (75) 357, (82) 405.

FEE FUND:--Vide Accounts and Papers, 45; Addresses, To His Excellency, 45.

FEES:--Vide Justice, Administration of; Justices of the Peace.

FIREMEN:--Bill to exempt firemen from serving as jurymen, after a certain length of service; Presented and read, (141) 713. Order for second reading discharged; Bill withdrawn, (255) 1302.

-----Bill to exempt firemen in cities from the Statute Labor tax; Presented and read, (282) 1399. Read second time; To be engrossed, (355) 1655-1656. Passed, (355) 1657. By the Council, (358) 1666. Royal Assent, (359) 1669. [14 & 15 Vic., c. 85.]

-----Petition of Robert Beard and others, of Toronto, for exemption of firemen from statute labor, and from serving as jurors, (248) 1272, (256) 1307.

FISHERIES:--Bill to remove all doubts as to the right of Her Majesty's subjects in Canada, carrying on the fisheries in the Gulf of St. Lawrence, to occupy any unoccupied places on the North Shore of Labrador for the purposes thereof; Presented and read, (19) 72. Order for second reading, (74) 349, (95-96) 461, (123) 616, (141) 714. Order for second reading discharged; Bill withdrawn, (179) 934.

-----Petition of N.F. Belleau and others, of Quebec, for protection of the fisheries in the Gulf of St. Lawrence between Point des Monts and Blancs Sablons, (5) 15, (18) 63.

-----Notice of Motion, for a Committee of the whole to consider the expediency of affording relief to persons employed in the Fisheries in the Gulf of St. Lawrence; Withdrawn Motion, 136-137.

-----Petition of David Hoover and others, for an Act to prevent the killing of fish at certain seasons in Lake Scugog, (70) 335, (78) 382.

FLOUR:--Petition of Municipal Council of Waterloo, for appointment of Inspectors of Flour, and of Pot and Pearl Ashes, at Dundas or Hamilton, (19) 78, (32) 124.

FOREIGN EXECUTORS, &c.:--Bill to remove doubts as to the right of foreign executors, administrators, and corporations, to sue and be sued, in Lower Canada; Presented and read, (145) 729-730. Read second time; Committed, (162) 832. Considered; Reported; To be engrossed, (325) 1565-1566. Recommitted; Considered; Reported; Passed, (339) 1616-1617.

FOREIGN INSURANCES:--Petition of William A. Chisholm and others, of St. Catharines, for removal of the restrictions imposed on foreign insurances, (244) 1257, (251) 1293. Referred, (309) 1522-1523.

FORT ERIE AND BRANTFORD RAILWAY:--Vide Brantford and Buffalo Railroad Company.

FORT ERIE AND BUFFALO SUSPENSION BRIDGE COMPANY:--Petition of Alexander Douglas and others, for an Act of incorporation, (51) 224, (61) 285. Referred to Committee on Standing Orders, (66) 302. Report, that Rules relative to notice have not been complied with, (72) 338-339. Report referred back, to allow proof of notice not before submitted, (85) 415. Further Report (special), (94-95) 458. Bill presented and read, (103) 484. Read second time; Referred to Committee on Private Bills, (133) 665. Reported; Committed, (155) 781. Considered, (262-263) 1322. Reported; To be engrossed, (272) 1366. Passed, (285) 1414. Returned from the Council, with amendments, empowering the Company to construct a bridge or a tunnel, at their option, (301) 1488. Considered, and agreed to, (304) 1503-1504. Reserved, (361) 1675.

FURS:--Vide Trade.

G.

GALLERY:--Vide Reporters' Gallery.

GAME:--Bill to prevent the hunting of deer at certain seasons, and further to amend the Game Laws; Presented and read, (79) 383. Read second time; Committed; Considered; Reported; To be engrossed, (196) 1036-1037. Passed, (200) 1054. Returned from the Council, with amendments; Considered, and agreed to, (233-234) 1212-1213. Royal Assent, (359) 1668. [14 & 15 Vic., c. 61.]

-----Bill to amend the Act for the protection of game and wild fowl, as respects Lower Canada; Presented and read, (87) 420. Read second time; Referred, (175) 924. Petition of C.A. Cuthbert and others, (vide below), also referred, (177) 931. Reported; Committed, (190) 994. Considered, and no report made, (354) 1654.

-----Bill for the regulation of hunting, and the preservation of Game; Presented and read, (136) 675. Read second time; Referred, (176) 926. Reported; Committed, (231) 1196. Considered, (343) 1627-1628. Reported; To be engrossed; Passed, (350) 1643-1644. By the Council, (357) 1664. Royal Assent, (360) 1671. [14 & 15 Vic., c. 107.]

-----Bill to repeal the Act for the protection of Game in L'Islet, and to enable the Municipalities of that County to make regulations for that purpose; Presented and read, (164) 850. Order for second reading discharged; Bill withdrawn, (321) 1557.

-----Petition of Robert Headland and others, of Grenville, for an Act to prohibit the hunting of deer at certain seasons, (51) 224, (61) 285. Referred, (71) 337. Report, recommending the passing of a Bill, (79) 383. Vide above.

-----Petition of C.A. Cuthbert and others, of Berthier and Sorel, for the protection of musk-rats and wild ducks, (48) 214, (57) 256. Referred to Committee on the Bill for protection of Game in Lower Canada, (177) 931.

GAOLS:--Bill to provide for the management of gaols, and for the erection and maintenance of two Houses of Correction, for juvenile offenders; Presented and read, (23) 102. Order for second reading, (47) 203, (70) 320, (88) 422, (96) 461, (123) 616. Read second time; Committed, (146) 735-736. Order for consideration discharged, (343) 1627.

-----Vide Justice, Administration of.

GASPE, DISTRICT OF:--Bill to authorize the holding of a second Term of the Superior Court annually in that District, when the Grand Jury shall represent the same to be necessary; Presented and read, (19) 72. Order for second reading, (32) 119. Read second time; Committed, (44) 185. Considered, (89) 424. Further consideration postponed, (124) 618-619. Considered again, (142) 716. Reported; To be engrossed, (142) 716. Passed, (145) 732. By the Council, (159) 810. Royal Assent, (229) 1189. [14 & 15 Vic., c. 19.]

GAUDRY, MRS. MARIE ANTOINETTE:--Petition of, for relief in consideration of the death of her husband from strict attention to his duties as a Custom House officer at Quebec, (60) 284, (71) 335.

GENTILLY, RIVER:--Vide Bécancour.

GEORGIAN BAY AND ST. LAWRENCE RAILROAD:--Vide Huron and St. Lawrence Railroad.

GIBSON, JOHN:--Petition of, for indemnity for expenses incurred in the apprehension of William Mackenzie, charged with forgery, (81) 404, (94) 456-457.

GILBERT, JOHN:--Petition of, for a grant of land in consideration of his services in the Navy during the last war, (45) 195, (51) 224.

GILBERT, MRS.:--Vide Accounts and Papers, 60; Addresses, To His Excellency, 42.

GLANFORD:--Petition of Municipality, Township of Glanford, against any division of that township as proposed by the Territorial Divisions Bill, (75) 356, (82) 405.

GODERICH AND GUELPH RAILWAY:--Vide Toronto and Goderich Railroad Company.

GORE BANK:--Vide Accounts and Papers, 18.

GOULD, IRA:--Petition of, and his sons, for an Act to naturalize them, (60) 284, (71) 336. Referred to Committee on Standing Orders, (73) 339. Report thereon, (79) 382. Bill presented and read, (86) 418. Read second time; Referred to Committee on Private Bills, (132) 660. Reported; Committed, (137) 694. Considered; Reported; To be engrossed, (176) 926. Passed, (178) 934. Message from Council, desiring the proofs and documents on which the Bill is founded, (195) 1022. Returned from the Council, with amendments, (204) 1081. Considered, and agreed to, (206) 1096. Royal Assent, (229) 1189. [14 & 15 Vic., c. 43.]

GOVERNMENT, PROVINCIAL:--Notice of Question, whether any coalition has been proposed between the Ministry and the Opposition, 530. Question; Answer, 574-575.

-----Question, relative to retirement of certain members of the current Administration, and the formation of a new Administration; Answer, 1289.

-----Question, relative to eligibility of a certain Government official to campaign for a seat in the Provincial Legislature; Answer, 1305.

-----Notice of Question, relative to the formation of a new Ministry, 1406.

GOVERNOR GENERAL:--His Excellency's Speech at opening of the Session, (2) 2-4. Motion, for an Address to thank His Excellency for his Speech from the Throne, &c.; Debate thereon adjourned, (3) 4-7. Resolution, that until the Address shall have been adopted, the order of the day relating thereto shall be disposed of before the House will proceed with the daily routine, (4) 7. Consideration of motion for Address resumed, and Debate further adjourned, (4-5) 13-14. Resumed, (6-7) 20-36. Motion agreed to, and Address ordered, (7-9) 36-41. Vide Addresses, To His Excellency, 1.

-----Speech further considered; Motion, that a supply be granted to Her Majesty; To be considered in a Committee of the whole, (95) 460. Vide Supply.

-----That part of His Excellency's Speech which relates to Railways again read, and referred to the Committee on Railroads, (55) 239-241.

-----Recommends to the consideration of the House (through a Member of the Executive Council) certain measures involving pecuniary grants, (106) 510, (160) 828, (161) 828, (171) 900, (209) 1114, (217) 1154, (264-265) 1331, (287) 1418-1419, (305) 1504, (348) 1638-1639. A matter affecting the Royal Prerogative, (191) 996. Her Majesty's interest, (335) 1602-1603.

-----Gives the Royal Assent to Bills, (229-230) 1188-1191, (358-361) 1667-1675.

-----Speech of His Excellency at close of the Session, (362) 1676-1677.

GOVERNOR GENERAL, MESSAGES FROM HIS EXCELLENCY:--

1. Desiring the attendance of the House in the Legislative Council Chamber, (1) 1, (229) 1188, (358) 1667.
 2. Communicating Despatches in reply to the Address expressive of loyalty and attachment,--and to the Address on the Clergy Reserves,--and a correspondence relative to certain alterations in the Civil List, (23-31) 102-118. Printed, (31) 118. Despatches on the Civil List referred to the Committee of the whole on the subject, (112) 539.
 3. Communicating a Despatch from the Colonial Secretary, relative to the Halifax and Quebec Railroad; Printed; Referred to Committee on Railroads, (64) 291-292.
 4. Transmitting the Estimates for 1851 and recommending the same to the consideration of the House, (108) 524. Referred to Committee of Supply, (119) 583.
 5. Transmitting a Despatch communicating certain Resolutions of the Imperial Parliament on the subject of engrossing Acts of Parliament, (125) 620-621. Referred to Committee of whole on 4th Report of Printing Committee, (144) 729. Vide Printing.
 6. Transmitting copies of a communication from the Government of Prince Edward Island, and a Report of a Committee and an Address of the Assembly thereof, on the subject of erecting Light Houses at the North Cape and East Point of that Island, (126) 621-623.
 7. Recommending a grant of lands, and an appropriation of £1,000 per annum, towards the support of certain Indian Tribes in Lower Canada; Referred to the Committee of the whole on that subject, (189) 993.
 8. Transmitting copy of a Despatch disallowing the Act of last Session for amending the Currency Act,--with other communications on the subject, (201) 1058. Printed, (202) 1059.
 9. Communicating a correspondence with the Colonial Office, relative to the Act of last Session altering the rates of certain silver coins,--and the Act to establish freedom of Banking, (201) 1058. Printed, (202) 1059.
 10. Communicating a Despatch, stating that Her Majesty's Ministers are compelled to postpone till next Session the introduction of a Bill into the Imperial Parliament for empowering the Legislature of Canada to alter the existing arrangements relative to the Clergy Reserves; Printed, (231) 1194-1195.
 11. Transmitting a Supplementary Estimate; Referred to Committee of Supply, (240) 1237.
 12. Communicating a Despatch from the Administrator of the Government in Nova Scotia, enclosing copy of a Report by Honorable Mr. Howe of the proceedings of the Delegates to Canada, relative to the Halifax and Quebec Railway, (256-259) 1307-1311. Printed, (259) 1311.
 13. Communicating a Despatch in reply to the Address to Her Majesty, of last Session, on the subject of the Clergy Reserves; Printed, (303) 1500-1501.
 14. Communicating a Despatch in reply to the Joint Address to Her Majesty (this Session) against the proposed repeal of the duties on foreign timber imported into Great Britain; Printed, (333) 1598-1599.
- Vide Civil List.

GOVERNOR GENERAL, RESIDENCE OF:--Questions, relative to premises of Governor General's residence; Answer, 136.

GRAND RIVER NAVIGATION COMPANY:--Petition of the Town Council, Town of Brantford, for the passing of an Act to confer certain additional powers on the Company, and to empower the said Council to become security for them for a new loan, (39) 169, (49) 214. Referred to Committee on Standing Orders, (116) 559.

Report thereon, (119) 581.

- Petition of the Company, for authority to raise a further loan, (49) 214, (57) 257. Referred to Committee on Standing Orders, (112) 539. Report thereon, (119) 581. Bill to authorize the Company to raise a loan; From the Council, (111) 538. Read first time, (112) 538. Order for second reading, (128) 636. Read second time; Referred to Committee on Private Bills, (133) 666. Reported amended, (155) 781. Committed, (155) 782. Reported; Recommitted, and reported amended; Amendment to be engrossed, (263) 1324-1325. Passed, as amended, (265) 1334. Amendment agreed to by the Council, (272) 1366. Royal Assent, (361) 1674. [14 & 15 Vic., c. 151.]
- Motion, for an Address praying His Excellency to issue debentures, under the provisions of 7 Will. 4, c. 73, for the completion of the Grand River Navigation, negatived on division, (227) 1183.
- Vide Addresses, To His Excellency, 57; Indians.

GRAND VOYERS:--Vide Municipalities (Lower Canada); Roads and Bridges.

GREAT WESTERN RAILROAD:--Petition of the Company, for an Act to consolidate and amend the provisions of their Charter, (17) 62, (20) 80. Referred to Committee on Standing Orders, (52) 227. Report thereon (special), (62) 287. Bill presented and read, (67) 304. Read second time; Referred to Committee on Railroads, (114) 545-547. Reported, (279) 1390. Committed, (280) 1391. Order for consideration discharged, (323) 1561.

- Notice of Motion, That the Company be required to furnish a Return shewing the condition of their affairs, the names of the Directors and shareholders, amount of stock paid up, length of road completed or under contract, with the amount and terms of such contracts, plan of the route, and particulars concerning a certain loan of £50,000, and respecting the stock reserved for Britain and the United States, 513. Motion; negatived on division, (113) 540-543.

- Vide Accounts and Papers, 91; Railroads.

GUELPH AND ARTHUR ROAD COMPANY:--Vide Accounts and Papers, 46.

GUELPH FARMERS' AND MECHANICS' INSTITUTE:--Petition of C.J. Mickle and G. Pine, for aid in behalf thereof, (51) 224, (61) 285.

H.

HALIFAX AND QUEBEC RAILWAY:--Petitions for the promotion of the construction of the said railway: Of the Mayor and Councillors, City of Quebec, (5) 15, (18) 64. Of N.F. Belleau (for citizens of Quebec), (19) 78, (32) 124. Of P. Gauvreau and others, of St. Germain, (60) 284, (71) 336. Of Robert Bus-teed, for a public meeting in Bonaventure, (103) 488, (110) 536. Of Municipal Council, County of Bellechasse, (142) 725, (152) 763.

- Vide Accounts and Papers, 47-49; Addresses, To His Excellency, 14; Governor General, Messages from His Excellency, 3, 12; Railroads.

HALTON:--Petitions against a division of that county: Of W. McCay and others, (91) 436, (102) 482. Of Municipality of Nelson, (103) 488, (110-111) 536. Both referred to Committee of whole on Territorial Divisions Bill, (123) 602.

HAMILTON, PETER HUNTER:--Petition of, for the grant of a portion of the original allowance for road in 4th Concession of Barton, in lieu of a new line, (17)

62, (20) 80. Referred to Committee on Standing Orders, (52) 227. Report thereon, (62) 287.

-----Petitions against: Of Sir A.N. MacNab and others, (104) 489, (111) 537. Of Mayor and Corporation of Hamilton, (154) 780, (158) 808.

HAMILTON AND GORE MECHANICS' INSTITUTE:--Petition of Colin C. Ferrie, for aid thereto, (104) 489, (111) 536.

HAMILTON AND GORE SAVINGS BANK:--Vide Accounts and Papers, 19.

HAMILTON COURT HOUSE SQUARE:--Petition of Municipal Council of Wentworth and Halton, for authority to dispose of a part of the said square, for the purchase of land better situated for a Gaol, (39) 169, (48) 214. Referred to Committee on Standing Orders, (50) 219. Report thereon, (62) 287. Referred to a Select Committee, (71) 337. Report, (76) 358. Bill presented and read, (85) 416. Read second time; Referred to Committee on Private Bills, (131) 660. Reported; Committed, (181) 947-948. Considered; Reported; To be engrossed, (268) 1355. Passed, (281) 1394. By the Council, (300) 1487-1488. Royal Assent, (360) 1673. [14 & 15 Vic., c. 138.]

-----Petitions against: Of John R. Holden, for a public meeting of Hamilton, (134) 668, (139) 703. Referred to Committee on Private Bills, (139) 704. Of Municipal Council, City of Hamilton, (154) 780, (158) 808.

-----Petition of Robert J. Hamilton, praying that the said square may not be sold or applied to any other purpose than that specified in the Deed of Surrender, without his concurrence as heir of the grantor, (149) 750, (150) 751 (Rule of the House suspended); Referred to Committee on Private Bills, (150) 751.

HAMILTON DRY DOCK COMPANY:--Petition of W.P. McLaren and others, for revival of the Act incorporating the Burlington Bay Dock Company, (134) 668, (139) 703. Referred to Committee on Standing Orders, (144) 727. Report thereon, (150) 751-752. Bill to revive the Charter of the Hamilton Dry Dock Company; Presented and read, (160) 828. Read second time; Referred to Committee on Private Bills, (174) 921. Reported, (279) 1390. Committed, (305) 1504.

HAMILTON LADIES' BENEVOLENT SOCIETY:--Petition of Elizabeth R. Thomas and Harriet Inson, for aid, (91) 435, (102) 482. Referred to Committee on Standing Orders, (105) 491. Report, that Petition ought not to have been referred, (110) 535.

HATS:--Vide Trade.

HEIRS AND DEVISEES:--Bill to amend the Heir and Devisee Act of Upper Canada; Leave granted to present Bill, and a Committee appointed to prepare it, (92) 437. Presented and read, (106) 511. Read second time; To be engrossed, (138) 695. Passed, (141) 713. By the Council, (155) 781. Royal Assent, (229) 1189. [14 & 15 Vic., c. 12.]

HENDERSON, JOHN:--Petition of, of Beauport, complaining that he has been illegally made a bankrupt and arrested, and praying for an inquiry, and relief, (60) 284, (71) 337.

HISTORICAL RECORDS:--Vide Addresses, To His Excellency, 67.

HOLBROKE'S SCHOOL APPARATUS:--Vide Education.

HOLIDAYS:--Petition of Quebec Board of Trade, praying that certain parties may be relieved from restrictions imposed with regard to holidays which their own religious faith does not oblige them to observe, (137) 694, (139) 704. Referred, (150) 751. Report, recommending an alteration of the law concerning Bills of Exchange with respect to the days of grace falling upon holidays,--with a Bill, (181-182) 948. Report printed, (182) 948. Vide Bills of Exchange.

HORSES:--Bill to prevent fraud in the sale and exchange of horses in Lower Canada; Presented and read, (73) 346. Question for second reading postponed two months, (192) 1005-1006.

HOUSE:--Bill to repeal certain provisions of the Act for securing the independence of the Legislative Assembly; Presented and read, (299) 1483-1484. Question for second reading, postponed six months, (355) 1656.

-----Call of the House for 22 July; Members then absent to be sent for in custody of the Sergeant-at-Arms, (156) 782. House called; Names of absent Members taken down, (184) 963-964.

-----Votes and Proceedings of the House to be printed, under direction of Mr. Speaker, (4) 7.

-----Attends His Excellency: At Bar of Legislative Council Chamber:--At the opening of the Session, (1) 1.--On the Royal Assent being given to Bills, (229) 1188.-- At the close of the Session, (358) 1667. At Government House, with an Address, (10) 47.

-----Meets at an earlier hour than usual, (297) 1461, 1467. On Wednesdays (for the remainder of the Session,) at 10 o'clock, (161) 831. Every day at 10, (318) 1544.

-----To sit on Saturday (for the remainder of the Session), from 10 till 5 o'clock; Notice of Motion, 840. Motion; Agreed to, (170-171) 899. So much as respects adjourning at 5 o'clock, suspended for one Saturday, (317-318) 1544.

-----Adjourns without a Question being put, (176) 926, (291) 1430.

-----Adjourns for want of a quorum, (264) 1327, (302) 1495.

-----Adjourns over one day,--(Feast of the Ascension), (33) 125, (95) 459.

-----Adjourns out of respect to the memory of a Member deceased, (328) 1583.

-----Motion, that the House do not sit, for the remainder of the Session, after half-past ten o'clock in the evening; Agreed to with an amendment, 352.

-----House divides on motion to defer remaining Orders of the day, the House having sat past 10 o'clock; Resolved in the affirmative, (90) 429-430.

-----Motion, that the resolution that the House adjourn at 10 o'clock, p.m., be rescinded; Agreed to, 870.

-----House cleared of strangers for a Debate on the subject of the number of gallery seats to be reserved for ladies, 399.

-----Member (Mr. Gagy) announces his intention to have House cleared of strangers if reporters fail to report his speeches, 1012. House cleared at request of Mr. Gagy, 1092.

-----Motion, that the 19th Rule (that the House may be cleared of strangers at the request of one Member) be rescinded, and that another provision be substituted therefor, negatived on casting vote of the Speaker, (207) 1098-1099.

-----Motion, for leave to offer a motion to change the hours of sitting for the remainder of the Session, negatived on division, (259) 1312. Vide Orders of the Day. Motion to adjourn, it being the Feast of the Assumption, negatived on division, (284) 1410.

-----Names taken on divisions:--Questions carried in the affirmative: (18) 72,

(42-43) 181, (54) 238-239, (59) 261, (66) 302, (67) 306-307, (70) 323-324, 329-330, (78) 373, (90) 429-430, (114) 546, 551, (124) 618, (129-130) 652, (131) 658, 659, 659-660, (132) 662, (133-134) 666, (137) 683, (141-142) 715, (142) 719, 719-720, (151) 754-755, (154) 776, (157) 791-792, (160) 820, (161) 831, (161-162) 832, (163) 839, 847, (164) 849, 849-850, (169) 891, (170-171) 899, (173) 915-916, 919, (178) 932, 933, (180) 939, (180) 940, (182-183) 954-955, (183) 956, (184) 963, (185) 971, (192) 1007, (193) 1009, 1010, 1011, (194) 1019, (195-196) 1035, (196) 1036, 1037, (197) 1038, 1039, 1041, (198) 1043, (199) 1053, (200) 1054, 1055-1056, (203) 1078, (205) 1090, 1091, (208) 1104, (212) 1129, 1131, (214) 1139, 1140, (216) 1146, (224) 1171, (225) 1174, (226) 1180-1181, (227) 1183, 1184, (228) 1185, (231-232) 1196, (232) 1204, 1207, (236) 1224, (237) 1226, (238) 1232, 1233, 1235, (241) 1246, (242) 1247, 1248, 1250, (243) 1250, 1250-1251, 1251, 1251-1252, 1252, 1252-1253, (244) 1253, (246) 1261-1262, (247) 1264, (248) 1267, (249) 1274-1275, (252) 1295, (252-253) 1295, (253) 1298, (255) 1301, 1302, (256) 1303-1304, (259) 1313, (260) 1314, 1315-1316, (261) 1316-1317, 1317, 1318, (261-262) 1319, (262) 1320, 1322, (263) 1324, (263-264) 1325-1326, (265) 1333, (268) 1357, (271-272) 1365, (276) 1379-1380, (277) 1383, (281) 1397, (283) 1402, (285) 1413, (286) 1416, (289) 1425, (290) 1427, 1428, (294) 1438, (295) 1439-1440, 1440, 1441, (295-296) 1446-1447, (296-297) 1461, (298) 1480, (299) 1485, (300) 1486, (301) 1493-1494, (303) 1501-1502, (304) 1502, (316) 1538, (317-318) 1544, (323) 1560, (326) 1569, (326-327) 1572, (327) 1572, 1573-1574, (332) 1596, (332-333) 1597, (337) 1613, (338) 1615, (340) 1620, (341) 1622-1623, (341-342) 1623, (345) 1633, (346) 1634, (348) 1639, (351) 1646, (352) 1648, 1648-1649, (355) 1656, (356) 1657, (357-358) 1665.

-----Names taken on divisions:--Questions carried in the negative: (21) 90, (46) 197-198, (48) 208, (65) 297, (74) 348, 351, (83) 410, (93) 445, (105-106) 509, (108) 523-524, (113) 543, (114) 550, (117) 569, (124) 618, (128-129) 646-647, (129) 651-652, (132) 662, (141) 712, (146) 736, 737, (147) 737-738, 738, 740, 740-741, (148) 742, 743, (149) 744, (151) 754, (154) 775-776, (157-158) 794, (158) 810, (159) 819-820, (162) 838-839, (163) 846, (164) 856, (173) 918-919, (179) 935, (182) 954, (187) 976, (188) 978, 979, (192-193) 1009, (193) 1010, (202) 1069-1070, (203) 1070, (204-205) 1081-1082, (205) 1090, (206) 1097, (207) 1099, (208) 1108, 1108-1109, (209) 1110, 1113-1114, (212) 1129, (224) 1169, 1169-1170, 1171, (225) 1172-1173, 1173, (226) 1180, 1181, (226-227) 1182, (228) 1186-1187, (234) 1215, (235) 1215-1216, 1216, (237) 1224-1225, 1225, (238) 1233, (241) 1246, (242) 1247, 1249, (247) 1264, 1265, 1266, (248) 1268, (250) 1277, (251) 1287, (252) 1294, 1294-1295, (256) 1303, (259) 1312, (260) 1315, (261) 1319, (262) 1320, (263) 1323-1324, (264) 1326, 1327, (267) 1353, (268) 1357, (269) 1358, (270) 1361, (275) 1377, 1378, (276) 1379, 1381, (277) 1382, (281) 1396-1397, (282) 1398, (283) 1401, (284) 1410, (288) 1420, (289) 1425, (290) 1426, 1427, (295) 1439, (298) 1479, (299) 1485, (302) 1494, 1495, (304) 1502, (306) 1507, (307) 1509, 1510, 1510-1511, (308) 1511, (309) 1523, (314) 1533-1534, 1534, (314-315) 1535, (315) 1535, 1536, 1536-1537, (316) 1537, (319) 1549, (323) 1560, (328) 1582, (335) 1604, (337) 1607, 1608, (338) 1614, (340) 1619-1620, (340-341) 1621, (341) 1623, (345) 1632, (347) 1638, (349) 1641, (350) 1643, (350-351) 1645, (351) 1646, (352) 1647-1648, (353) 1652, 1653, (353-354) 1653, (355) 1656, (356) 1662, 1662-1663.

-----House divides, and names not taken:--Questions carried in the affirmative: (44) 186, (74) 351, (81) 393, (92) 440, (141) 713, (149) 744, (160) 820, (163) 839, (170) 894, (191) 1004-1005, (192) 1006, (203) 1070, (205) 1091, (212) 1129-1130, (228) 1187, (243) 1252, (252) 1295, (277) 1382, (278) 1384, 1385, (278-279) 1385, (283) 1402, (298) 1469, (299) 1483, (323) 1560, (333) 1597, (339) 1617, (341) 1622, (345) 1632, (349) 1641, (351) 1647, (352) 1647, (354) 1653.

-----House divides, and names not taken:--Questions carried in the negative:
(46) 200, (50) 217, (54) 232, (81) 392, (100) 475, (105) 491, 493, (115)
557, (138) 698, (149) 744, (152) 760, (157) 791, (161) 831, (174) 922,
(176) 929, (179) 936, (209) 1114, (214) 1135, (227) 1183, (235) 1216, (236)
1224, (237) 1226, (248) 1274, (251) 1293, (276) 1380, (277) 1383, (278)
1384, 1385, (280) 1392, (286) 1415, (288-289) 1424, (296) 1448, (300) 1486,
(301) 1493, (307) 1509, 1511, (308) 1512, (345) 1632, (347) 1637, (354)
1653, (355) 1656, 1657.

-----Vide Privileges; Representation, Increase of.

HOUSES OF CORRECTION:--Vide Gaols.

HUDSON'S BAY COMPANY:--Vide Accounts and Papers, 50, 51; Addresses, To His Excellency, 16.

HUNTINGDON:--Petition of J. Bissonnette and others, for a division of that County for Municipal purposes, (138) 703, (149) 750.

-----Petition of L. Odell and others, for application of 7 Vic., c. 22, sec. 1, relative to registrations, to the Second Registration District of that County, (138) 703, (149) 750.

HUNTINGDON ACADEMY:--Petition of R.B. Somerville and others, for additional aid for the erection and maintenance thereof, (22) 101, (37) 150.

HURON, LAKE:--Vide Addresses, To His Excellency, 55.

HURON AND ST. LAWRENCE RAILROAD:--Petition of John Hall and others, for an Act of incorporation, to construct a Railroad from Georgian Bay, Lake Huron, to Brockville or Prescott, (107) 518, (115) 556. Referred to Committee on Standing Orders, (119) 582. Report insufficient notice, (121) 599.

-----Petitions in favor: Of Municipal Council, County of Peterborough, (107) 518, (115) 556. Of Town Council, Town of Peterborough, (109) 534, (118) 580. Both referred to Committee on Standing Orders, (119) 582. Report thereon, (121) 599.

I.

INDIANS:--Bill to set apart lands in Lower Canada for the use of the Indians; Presented and read, (46) 198-199. Order for second reading, (89) 427, (125) 620. Read second time; Committed, Resolution granting £1,000 per annum for the relief of the Indians (vide below) referred; Considered; Reported; To be engrossed, (332) 1595-1596. Passed, (338) 1615. By the Council, (353) 1651. Royal Assent, (360) 1671. [14 & 15 Vic., c. 106.]

-----House goes into Committee, to consider of providing an annual appropriation for the use of the Indians in Lower Canada, (185) 971. Message from His Excellency, recommending a grant of land and money therefor, referred, (189) 993. Considered, (325) 1565. Resolution authorizing a grant of £1,000 per annum, reported and agreed to, (331) 1594. Referred to Committee of the whole on the Bill, (332) 1595. Vide above.

-----Bill to amend the Act for the protection of the lands and property of the Indians in Lower Canada; Presented and read, (207) 1100. Read second time; To be engrossed, (218) 1155. Passed, (227) 1184. By the Council, (233) 1212. Royal Assent, (359) 1668. [14 & 15 Vic., c. 59.]

-----Bill for the relief of the creditors of Indians in Upper Canada; Presented

and read, (227) 1184. Motion, to call up Order of the day for the second reading, negatived on division, (350) 1643.

- Petition of Ignace Portneuf and other Indians of Sault St. Louis and St. François, for amendments to the Act for protecting the lands &c. of the Indians in Lower Canada, (6) 19, (20) 79.
- Petition of F. Papino and others, Algonquins and Nipissings of the Lake of Two Mountains, for the adoption of measures for their protection, and for the improvement of the Indian Tribes in Lower Canada, (6) 19, (20) 79.
Printed, (20) 80.
- Petition of Margaret Powlus and Catherine John, for aid in consideration of the services of their late father Col. Joseph Brant and his son Captain John Brant, (17) 63, (20) 80.
- Petition of Alexander Scobie and others, of Caledonia, praying that the Indians may be rendered liable for their debts in all cases, (46) 196, (52) 226.
- Motion, for an Address, for a Statement in detail of the Receipts and Expenditure of the Indian Department during the last two years; also, a copy of the last annual Report of the Grand River Navigation Company, and a Statement of their affairs, negatived on division, (226-227) 1181-1182.
- Question, concerning land claims of Huron Indians of Lorette; Answer, 450.
- Question, concerning Indian Territory on the north shore of Lake Superior; Answer, 988.
- Vide Accounts and Papers, 52; Addresses, To His Excellency, 8, 61; Governor General, Messages from His Excellency, 7.

INDICES TO THE JOURNALS:--Instruction to the Committee on the Library, to inquire into the expediency of causing to be prepared a General Index to the Journals of the House since the Union, (201) 1057. Report (on that subject, &c.), (292-294) 1433-1437. Printed, (294) 1437. Concurred in; Resolution, authorizing the Speaker to direct the compilation of such Index, and to cause the same to be printed, when completed, (320) 1555.

-----Message from the Council, communicating a similar Instruction to the Committee with respect to the Journals of the Council, (249) 1275. Report thereon, (292-294) 1433-1437.

INDUSTRIAL EXHIBITION (1851):--Vide Accounts and Papers, 53.

INSOLVENT DEBTORS:--Vide Debtors.

INSURANCE COMPANIES:--Vide Accounts and Papers, 3-7; Foreign Insurances; Mutual Fire Insurance Companies.

INTEMPERANCE:--Question, concerning repeal of, or amendments to, Act for suppression of intemperance in Lower Canada; Answer, 136.

-----Bill for more effectually suppressing intemperance in Lower Canada; Presented and read, (44) 184. Read second time; Referred, (89) 426.

-----Petition of Municipal Council, County of Portneuf, for amendments to the Bill, (101) 480, (104) 490.

-----Petition of E. Finley and others, Rechabites of Canada East, against the Bill, (103) 488, (110) 535.

-----Petition of Municipal Council, County of Shefford, for repeal of the Act for suppressing intemperance, and for a better provision for issuing tavern licenses, (103) 488, (111) 536.

-----Vide Taverns.

INTESTATE ESTATES:--Bill to regulate the distribution of the personal estates of intestates in Upper Canada; Presented and read, (56) 244. Order for second reading, (90) 429, (127) 624. Order for second reading discharged; Bill withdrawn, (179) 936.

-----Vide Deceased Persons; Primogeniture.

J.

JESSUP, JAMES:--Petition of, for restoration of his income as Clerk of the Peace for Leeds and Grenville, to its former amount; and for remuneration for taking the Census in 1848 and 1850, (120) 597, (130) 657.

JESUS, RIVER:--Petition of J. McKenzie and others, for aid to improve the navigation thereof, (118) 580, (120) 597.

JOINT STOCK COMPANIES:--Bill to amend the Act for the formation of Companies for manufacturing and other purposes; Notice of Motion, 9. Presented and read, (86) 419. Read second time; Referred, (175) 923-924. Reported; To be engrossed, (231) 1195-1196. Passed, (233) 1212.

-----Vide Road Companies.

JOLIETTE COLLEGE:--Petition of Rev. F.T. Lahaye, for aid thereto, (19) 78, (32) 124.

JOURNALS:--Entries in Journals of last Session, again read (referred), relative to Seigniorial Tenure, (21) 91. Petition of Dr. Rees, (136) 674. Endowment of Rectories, (199) 1048. Vide Rectories, &c.

-----Motion, that sufficient number of copies of the Journals be printed to supply one copy to each Municipality, and to the Proprietors of such Newspapers as may be furnished to the House; Amendment, That it be an Instruction to the Printing Committee to inquire into the best mode of distributing the Journals for the information of the public, carried, (35) 133. Vide Printing.

-----Order, That the Return to an Address relative to Land Scrip, be not printed in the Appendix to the Journals, (50) 219.

-----Resolution, That an additional number of the Journals and Appendices be printed and distributed,--one copy to be furnished to each Municipal Council now or hereafter erected,--and pending their establishment in Lower Canada, to be distributed in the several townships and parishes, under the supervision of the Clerk, (142) 719.

-----Complaint by Honorable Mr. Boulton, of an assault made upon him by Mr. Watts (Members of the House), with the Answer of Mr. Watts thereto, to be entered on the Journals, (192) 1008.

-----Mr. Speaker instructed to cause inquiry to be made as to what steps have been taken (under the Resolution of 23d July, 1847) for procuring Manuscript copies of certain missing Journals of the Upper Canada Legislature; and to take such further steps as may be necessary, (358) 1665.

-----Vide Indices to the Journals.

JUDGES (COUNTY COURTS, &c.):--Vide Civil List; Elections, Controverted; Seigniorial Tenure.

JUDGMENTS:--Bill to render executory the judgments of Commissioners' Courts in Lower Canada; Presented and read, (19) 72. Read second time; Committed, (39) 161-162. Order discharged, and Bill referred to the Committee on the Bill relative to the Court for St. Francis, (45) 187. Vide below.

- Bill to facilitate the execution of judgments in Lower Canada; Presented and read, (42) 174. Read second time; Referred to the Committee on the Bill relative to the Court for St. Francis, (88) 423. Vide below.
 - Bill to render executory the judgments of the late Provincial Court for the District of St. Francis, and for the removal of the Records of said Court into the Circuit Court at Sherbrooke; Presented and read, (32) 119. Read second time; Referred, (44) 186. Bill relative to the judgments of Commissioners' Courts (vide above) referred, with an Instruction to consolidate the two Bills, if found expedient, (45) 187. Bill to facilitate execution of judgments (vide above) also referred, with a like Instruction, (88) 423. Report a Bill, (112) 539. Vide below.
 - Bill to render executory certain judgments in Lower Canada, and to provide for enforcing the same in case of resistance; Reported by a Committee, (112) 539. Read second time; Committed, (238) 1232. Considered; Reported; To be engrossed, (322) 1559. Passed, (326) 1571. By the Council, (342) 1625. Royal Assent, (359) 1670. [14 & 15 Vic., c. 90.]
- JURIES AND JURORS:--House goes into Committee, to consider of paying petit jurors in Upper Canada by local taxes, and comes to a Resolution; Order for Report, (32) 119. Resolution reported; Read a second time, and agreed to, (35) 133-134.
- Bill to provide for the payment of petit jurors in Upper Canada; Notice of Motion, 9. Presented and read, (35) 134. Read second time; Referred, to a Select Committee, (88) 422. Reported; Committed, (135) 670. Considered, (176) 925. Reported; To be engrossed, (178-179) 934. Passed, (186) 974. By the Council, (200) 1053. Royal Assent, (229) 1190. [14 & 15 Vic., c. 14.]
 - Bill to amend the Jury Laws in Lower Canada, (Honorable Mr. Badgley); Notice of Motion, 476. Presented and read, (109) 525. Order for second reading discharged; Bill withdrawn, (322) 1559.
 - Bill to amend the Act regulating the summoning of Jurors in Lower Canada (Mr. Drummond); Presented and read, (145) 732. Read second time; Committed, (251) 1286. Considered, (317) 1539-1540. Reported; To be engrossed, (321) 1556. Passed, (331-332) 1595. By the Council, (342) 1624. Royal Assent, (359) 1669. [14 & 15 Vic., c. 89.]
 - Bill to amend the Upper Canada Jurors Act of last Session (Honorable Mr. Baldwin); Presented and read, (171) 899. Read second time; Committed, (217) 1155. Considered, (241) 1243. Reported; To be engrossed, (246) 1260. Passed, (249) 1275. By the Council, (266) 1335. Royal Assent, (359) 1668. [14 & 15 Vic., c. 65.]
 - Bill to extend the time for the selection of Jurors in Upper Canada, in the present year; From the Council; Read first time, (342) 1624. Read second and third times, and passed, (350) 1644. Royal Assent, (360) 1671. [14 & 15 Vic., c. 112.]
 - Petitions for the payment of Jurors in Lower Canada: Of A. Marchand and others, of St. François-Xavier de Batiscan, (22) 101, (37) 151. Of C. Marseau and others, of Ste. Anne Lapérade, (45) 196, (52) 225. Of C. Trudel and others, of Ste. Geneviève de Batiscan, (57) 256, (61) 286.
 - Vide Firemen; Municipalities (Upper Canada).

JURY, TRIAL BY:--Bill to dispense with the same in certain cases in Upper Canada; Presented and read, (56) 244. Order for second reading, (100) 475, (127) 624, (179) 936-937. Read second time; Referred, (214) 1135.

JUSTICE, ADMINISTRATION OF:--Bill to amend the Act substituting salaries for fees to certain officers of Justice in Lower Canada; Presented and read, (23) 102.

Read second time; Committed, (47-48) 203. Considered; Order for report, (69) 318-319. Reported; To be engrossed, (74) 349. Passed, (87) 420. By the Council, (115) 557. Royal Assent, (229) 1188. [14 & 15 Vic., c. 17.]

-----Bill to provide for the administration of Justice in the unorganized tracts of country in Upper Canada; Presented and read, (206-207) 1098. Read second time; Committed; Resolution providing for the expense thereof (vide below) also referred, with an Instruction to embody the same in the Bill, (236) 1220-1221. Order for consideration of Bill discharged, (343) 1627.

-----House goes into Committee to consider of providing, out of the County Fee Fund and the Consolidated Revenue Fund, for the expense attending the same (His Excellency's recommendation being signified), (217) 1154. Resolution providing for remuneration of the Judges, Sheriffs, &c., and for the necessary Court Houses and Gaols, reported and agreed to, (232) 1196. Referred to Committee of the whole on the Bill, (236) 1221.

-----Petition of A.M. Delisle and William H. Brehaut, Joint Clerk of the Peace, Montreal, representing the loss they have sustained from the funding of their fees under the Act substituting salaries for fees to certain officers of Justice, and praying for the repeal of the Act, or compensation for their loss, (19) 78, (32) 124. Petition of William Smith Sewell, Sheriff of Quebec, and others, praying the same, (39) 169, (48-49) 214.

-----Petitions for amendments in the administration of civil justice in Lower Canada, so as to abolish the system of centralization thereof in cities: Of Louis G. Lafontaine and others, of Lanoraie; Of Charles Forneret and others, of Berthier; Of M. Poirier and others, of Leinster, (139) 703, (150) 751.

-----Vide Lincoln and Welland; Records' Courts.

JUSTICES OF THE PEACE:--Bill to provide for administering the oath of office to persons appointed to be Justices of the Peace; Presented and read, (1-2) 2.

-----Bill to establish an uniform rate of fees for Justices of the Peace in Upper Canada; Presented and read, (35) 128. Order for second reading, (44-45) 186, (57) 247, (88) 422, (124) 617. Read second time; Referred, (142) 715. Reported; Committed, (189-190) 994. Considered, (321) 1557. Reported; To be engrossed, (331) 1594. Passed, (338) 1615. By the Council, (353) 1651. Royal Assent, (360) 1672. [14 & 15 Vic., c. 119.]

-----Bill to facilitate the performance of the duties of Justices of the Peace, out of Sessions, with respect to summary convictions and orders; Notice of Motion, 188. Presented and read, (47) 200. Order for second reading, (89-90) 427, (124) 619. Read second time; Committed, (145) 732. Considered, (317) 1540-1541. Reported; To be engrossed, (319) 1547. Passed, (334) 1600. By the Council, (345) 1633. Royal Assent, (359) 1670. [14 & 15 Vic., c. 95.]

-----Bill to facilitate the performance of the duties of Justices of the Peace with respect to persons charged with indictable offences; Presented and read, (47) 201. Order for second reading, (90) 427, (124-125) 619. Read second time; Committed, (145-146) 732-733. Considered; Reported; To be engrossed, (317) 1541. Passed, (337) 1613-1614. By the Council, (345) 1633. Royal Assent, (359) 1670. [14 & 15 Vic., c. 96.]

-----Bill to amend and consolidate the laws protecting magistrates and others in the performance of public duties; Notice of Motion, 135. Presented and read, (56) 242. Read second time; Committed, (100-101) 475. Considered; Reported; To be engrossed, (198) 1043. Passed, (200) 1054. Returned from the Council, with amendments, (233) 1212. Considered, and agreed to, (234) 1214. Royal Assent, (359) 1667. [14 & 15 Vic., c. 54.]

-----Bill to define the jurisdiction of Justices in General and Quarter Sessions of the Peace; Presented and read, (112) 540. Read second time; Committed, (246) 1263.

- Petition of William Allison and others, for an Act to protect magistrates and constables in the performance of their duty, from vexatious law suits, (4) 8, (6) 20. Referred, (52) 227. Vide above.
- Petition of W.D. Powell and Thomas Saunders, on behalf of the Quarter Sessions of Waterloo, for the adoption of a Schedule of Fees to be received by Justices of the Peace, (19) 78, (32) 124.
- Vide Municipalities (Upper Canada).

K.

KAKOUNA:--Petition of Benjamin Dionne and others, for aid to construct a landing place in that parish, (45) 196, (52) 226.

KAMOURASKA:--Bill to appropriate the proceeds from tavern licences in Kamouraska, Rimouski, and Ottawa, towards the erection of the Court House and Gaol at Kamouraska, and the Gaol at Aylmer; From the Council; Read first time, (121) 598.

-----House goes into Committee, to consider of appropriating the proceeds from tavern licences in the said Counties towards the erection of the Court House and Gaol at Kamouraska, and the Gaol at Aylmer, (160) 828. Resolution reported and agreed to, (169) 887.

-----Bill to appropriate the proceeds, &c., towards the erection of the said Court House and Gaols; Presented and read, (169) 887-888. Read second time; To be engrossed, (218) 1155. Passed, (228) 1184. By the Council, (233) 1212. Royal Assent, (359) 1668. [14 & 15 Vic., c. 63.]

-----Petition of Charles Têtu and others, for removal of the tax imposed on judicial proceedings for the purchase, &c., of a Gaol and Court House in that District, (107) 518, (115) 556-557.

KANE, PAUL:--Petition of, praying aid to complete a collection of sketches of scenery in Northern and Western America, and manners and customs of its inhabitants, (39) 169, (49) 216. Referred to Committee on Contingencies, (264) 1331. Report, recommending an appropriation of £500 to purchase some of his paintings, (309-313) 1523-1530. Amended by the House, and adopted, (356) 1662.

KEELE, W.C.:--Petition of, for encouragement in the publication of a new edition of "Keele's Provincial Justice," (81) 404, (94) 457. Referred to Committee on the Library, (102) 482. Report recommending that 50 copies be taken, (292-294) 1433-1437. Concurred in, (320) 1555.

KENT:--Vide Lambton.

KING'S COLLEGE:--Vide Accounts and Papers, 113; Addresses, To His Excellency, 29, 38, 59; University of Toronto.

KING'S POSTS:--Vide Accounts and Papers, 50, 51.

KINGSTON:--Petition of J. Watkins and others, for establishment of a Trinity House at Kingston, (57) 256, (61) 286.

KINGSTON AND TORONTO RAILWAY COMPANY:--Petition of John G. Bowes and others, for an Act of Incorporation, (6) 19, (20) 79. Notice of Motion, to refer Petition to Committee on Standing Orders, 94. Motion; Agreed to, (33) 125. Report thereon, (62) 287. Bill to provide an Act of Incorporation for the Company;

Notice of Motion, 17. Presented and read, (54) 239. Order for second reading, (100) 473-474. Read second time; Referred to Committee on Railroads, (113) 544. Reported, (239) 1237. Committed, (240) 1237. Considered, (246) 1262. Reported; To be engrossed, (250) 1285. Passed, (259) 1313. By the Council, (283) 1402. Royal Assent, (361) 1673. [14 & 15 Vic., c. 146.]

KINGSTON FIRE AND MARINE ASSURANCE COMPANY:--Vide Accounts and Papers, 4.

KINGSTON WATER WORKS COMPANY:--Petition of, for an amendment of their Act of Incorporation, to enable them to use the extra power of their engine for other purposes, (57) 256, (61) 286. Referred to Committee on Standing Orders, (94) 458. Report thereon, (105) 492. Bill presented and read, (108) 524. Read second time; Referred to Committee on Private Bills, (151) 755. Reported; To be engrossed, (177) 930. Passed, (183) 957. By the Council, (199) 1053. Royal Assent, (230) 1190. [14 & 15 Vic., c. 37.]

L.

LAIDLEY, JAMES:--Petition of, for compensation for damage to his property by the works on the River Trent, (39) 169, (49) 215.

LAJOIE, A. GERIN:--Petition of, for aid in the publication of a Work called "Catechisme Politique," (75) 356, (82) 405.

LAMBTON:--Petition of Municipal Council, County of Kent, for the union of that County with Lambton for certain purposes, (22) 101, (37) 151.

-----Petition of Municipal Council, United Counties of Essex and Lambton, for the restoration of the Gores of Chatham and Camden to Lambton, (158) 808, (163) 845.

LAND SCRIP:--Notice of Motion, for a further return relative thereto, 221.

-----Question, relative to the time limit for granting and receiving Land Scrip; Answer, 278.

-----Vide Accounts and Papers, 54.

LANDS:--Bill to enable foreigners to hold land in fee simple; Notice of Motion, 163.

-----Bill relating to land patents for lands of the Crown in Lower Canada, and to dispense with certain formalities connected therewith; Presented and read, (59) 262. Read second time; Committed, (127) 625. Considered; Reported; To be engrossed, (176) 925. Passed, (178) 934. By the Council, (195) 1021. Royal Assent, (229) 1188. [14 & 15 Vic., c. 16.]

-----Bill to repeal a certain provision of the Land Act, relative to the period within which indemnity may be granted for errors in patents; Presented and read, (164) 850. Read second time; To be engrossed, (339) 1617. Passed, (346) 1635.

-----Petition of Thomas Bedard, of L'Assomption, for appointment of a Commission to inquire into the complaints made against the Crown Lands Department in 1844, 1845, and 1847, (36) 149, (40) 171.

-----Motion, for appointment of a Committee to enquire into the management of the office of Commissioner of Crown Lands; Withdrawn Motion, 1117-1118.

-----Petition of Municipal Council, United Counties of Prescott and Russell, for an extension of the time limited by the Land Act, 12 Vic., c. 31, (68) 315, (75) 357.

-----Petition of Michael O'Monaghan and others, of Osprey, representing that they were induced, on the faith of Government, to settle on certain lands which

have since been advertised for sale; and praying that the original terms may be adhered to, (193) 1018, (198) 1046.

-----Question, relative to provisions of the Act 12 Vic., cap. 31, limiting the time for claiming lands whereof patents have not been issued; Answer, 136.

-----Question, whether it is the intention of Government to extend the time for taking out land patents; Answer, 136.

-----Vide Leases; Seat of Government.

LASSISERAYE, C.H.:--Petition of, for aid to enable him to continue his labors as a school teacher, (19) 78, (33) 125.

-----Petition of, for payment of a balance due him as principal teacher of the Education Society of Three Rivers, (32) 123, (37) 152.

L'ASSOMPTION, COLLEGE OF:--Petition of the Corporation thereof, for increased aid, (17) 62, (20) 80.

L'ASSOMPTION (VILLAGE):--Petition of J.E. Faribault and others, praying that that village may be incorporated with the Municipality of the Parish of L'Assomption, (107) 518, (115) 556.

LAUZON, SEIGNIORY OF:--Petition of Rev. F.E. Moore and others, praying that that part of the said Seigniorie called St. Catherine may be attached to the Parish of St. Bernard, (203) 1078, (210) 1125.

-----Questions, relative to Agent for the said Seigniorie; Answers, 352.

LAW, PRACTICE OF:--Bill to simplify the practice of the law; Notice of Motion, 9.

-----Bill to reduce law expenses, and to establish a tariff of fees for the Superior Courts of Law in Upper Canada; Presented and read, (46) 198. Order for second reading, (89) 426, (125) 619. Read second time; Referred, (170) 893-894. Reported; Committed, (194) 1018.

-----Bill to abolish Special Demurrers, and otherwise to amend the practice of the law in Upper Canada; Presented and read, (136) 675. Read second time; Committed, (255) 1301.

LAW SOCIETY:--Questions, relative to the Debentures for the loan to the Law Society; Answer, 451.

LAWS:--Several Bills to reform the common-law of the Province in various particulars; Notice of Motion, 9.

-----Notice of Motion, for the House to consider of revising and consolidating the laws of Lower Canada, 476.

LAWS, EXPIRING:--Standing Committee on Expiring Laws appointed, (18) 66, (22) 93. Report, (328-329) 1588-1590.

-----Bill to continue certain Acts and Ordinances; Presented and read, (329) 1590. Read second time; Committed; Reported; To be engrossed, (343) 1626. Passed, (348) 1640. Returned from the Council, with an amendment; Considered, and agreed to, (357) 1663. Royal Assent, (359) 1668. [14 & 15 Vic., c. 68.]

LEASES:--Bill to facilitate the leasing of lands and tenements; Presented and read, (5) 15. Read second time; Committed, (22) 93. Considered; Reported, with an amendment; To be engrossed, (36) 134. Passed, (39) 161. By the Council, (54) 230. Royal Assent, (229) 1189. [14 & 15 Vic., c. 8.]

LEGISLATIVE ASSEMBLY, INDEPENDENCE OF:--Vide House; Members.

LEGISLATIVE COUNCIL, MESSAGES FROM:--Agreeing to the Address to Her Majesty respecting the duty on foreign timber, and communicating an Address to His Excellency to transmit the same, (38) 152-153.

-----Acquainting the House that His Excellency has appointed to be attended with the Address, (49-50) 216.

-----Agreeing to Bills, without amendments:--(54) 230, (111) 537, (115) 557, (134) 669, (153) 769, (155) 781, (158-159) 810, (171) 903, (177) 931-932, (183) 955, (186) 974, (195) 1021, (199-200) 1053-1054, (204) 1080-1081, (212) 1130, (216) 1146, (232) 1196-1197, (233) 1212-1213, (266) 1335, (272) 1366, (283) 1402-1403, (285) 1413-1414, (291) 1429, (294) 1438, (300) 1487-1488, (316) 1538, (324) 1562, (334) 1602, (342) 1624, (345) 1633-1634, (353) 1651, (357) 1664, (358) 1665-1666.

-----Agreeing to Bills, with amendments:--(186) 974, (195) 1021, (200) 1054, (204) 1081, (212) 1130, (216) 1146, (232) 1196-1197, (233) 1212-1213, (241) 1242, (265) 1333, (272) 1366, (283) 1403, (285) 1414, (291) 1429, (295) 1439, (301) 1488, (316) 1538-1539, (324) 1562-1563, (332) 1596, (334) 1602, (346) 1635, (357) 1663.

-----Communicating Bills of their own:--(42) 174, (54) 230, (69) 317, (111) 537-538, (121) 598, (146) 735, (155) 781, (159) 810, (177) 932, (183) 955, (200) 1054, (204) 1081, (233) 1213, (241) 1242, (246) 1260, (265) 1333, (291) 1430, (327) 1573, (342) 1624.

-----Naming the members, on the part of the Council, of the joint Committee on the Library, (54) 230.

-----Agreeing to a Conference relative to the joint Addresses on the Timber duties, (64) 292, (107) 518-519.

-----Desiring a further Conference on the same subject, (73) 344-345.

-----Granting leave to their Clerk and Clerk Assistant to attend before a Select Committee, (95) 459.--To Members, (171) 903.

-----Desiring the grounds, evidence, and documents, on which the Peterborough By-law Bill is founded, (171) 903.

-----Desiring the evidence, proofs, and documents, on which the Bill to vest a certain road allowance in Norfolk in Andrew Thompson, is founded, (195) 1021.

-----Desiring the evidence, proofs, and documents, on which the Bill to naturalize Ira Gould and others, and also the Bill to naturalize C.H. Waterous, are respectively founded, (195) 1022.

-----Communicating an Instruction to the Members of the Library Committee on the part of the Council, relative to the expediency of sending a person to Europe to purchase books for the Library, (212) 1130.

-----Communicating a further Instruction relative to the compilation of a General Index to the Journals of the Council since the Union,--and announcing an alteration in the Members of the Library Committee on the part of the Council, (249) 1275.

-----Concurring in the arrangement contemplated by the Resolutions on the subject of substituting printed for engrossed copies of Bills, &c., (316) 1539.

-----Vide Addresses, To His Excellency, 37; Civil List.

LEGISLATIVE COUNCIL, MESSAGES TO:--Desiring their concurrence in the Address to Her Majesty relative to the duties on foreign timber, (35) 132.

-----Agreeing to the Address to His Excellency to transmit the said Address, (38) 153.

-----Communicating a Resolution for the appointment of a joint Committee on the Library, and requesting the Council to appoint Members on their part, (47) 201.

-----Agreeing to a further Conference on the same subject, desired by the Council, (73) 345.

-----Desiring leave for their Clerk and Clerk Assistant to attend before a Select

Committee, (91) 436.--For Members, (119) 582-583, (170) 898.

- Communicating an Instruction to the Joint Committee on the Library, relative to the expediency of sending a person to Europe to purchase Books, (199) 1047.
- Communicating a series of Resolutions relative to the substitution of printed copies of Bills (upon vellum) for the present system of engrossing,--also relating to the printing and distribution of the Statutes,--and desiring their concurrence, (254) 1299-1300.
- Informing them of the substitution of Hon. Mr. Chabot for Hon. Mr. Papineau on the Library Committee, (255) 1301.

- LESSORS AND LESSEES:--Bill to amend the Act regulating the exercise of certain rights of lessors and lessees in Lower Canada; Presented and read, (77) 360. Read second time; Referred, (174-175) 922. Bill relative to rights of lessors (vide below) also referred, with an Instruction to consolidate the same, if desirable; Members added, (175) 922-923. Reported (with some provisions of 2nd Bill incorporated); Reprinted; Committed, (237) 1231. Considered; Reported; To be engrossed, (322) 1559. Passed, (334) 1600.
- Bill for the more effectual exercise of the rights of lessors in Lower Canada; Presented and read, (95) 460. Read second time; Referred to Committee on above Bill, with an Instruction, (175) 922-923. Vide above.

LIBRARY:--Mr. Speaker announces the donations of books &c., for the Library received since last Session,--with letters accompanying those from the United States Congress, the Legislature of Vermont, and the Legislative Council of Nova Scotia, (15-17) 59-62.

- Notice of Motion for appointment of Select Committee to assist Mr. Speaker in the direction of the Library on the part of the Assembly, as Members of a joint Committee; Postponed Motion, 188. Committee appointed; Message to be sent to Council, requesting them to appoint Members on their part, (47) 201. Council to answer, by Messenger, (50) 219. Message from the Council naming the members on their part, (54) 230. Petition of W.C. Keele referred, (102) 482. Instruction, to consider the expediency of sending a competent person to Europe, to purchase Books; To be communicated to the Council, (199) 1047-1048. Instruction, to enquire into the expediency of causing a General Index to be made to the Journals since the Union, with the expense thereof, (201) 1057. Message from the Council communicating an Instruction to the members on their part, in reference to sending a person to Europe to purchase Books, (212) 1130. Member added, (226) 1180. Member added, on part of the Council; Message from the Council, communicating an Instruction relative to the compilation of a General Index to the Journals of the Council since the Union, (249) 1275. First Report (on the Instructions, &c.), (292-294) 1433-1437. Printed, (294) 1437. Concurred in, (320) 1555. Vide below. Vide also Indices to the Journals.
- Resolutions, thankfully acknowledging the donations by various Legislatures and individuals, in aid of the reconstruction of the Library, (320) 1555.
- Vide Accounts and Papers, 55, 56.

LIBRARY ASSOCIATIONS:--Bill to provide for the incorporation and management of Library Associations and Mechanics' Institutes; Presented and read, (77) 361. Read second time; Committed, (196) 1036. Considered, (322) 1558. Reported; Recommitted; Considered; Reported; To be engrossed, (331) 1594. Passed, (344) 1629. By the Council, (353) 1651. Royal Assent, (359) 1669. [14 & 15 Vic., c. 86.]

LIGHT HOUSES:--House goes into Committee to consider of repealing the tonnage duties for the maintenance of Light Houses, and providing therefor out of the Con-

solidated Revenue (His Excellency's recommendation being signified), (209) 1114. Resolution reported, and agreed to, (211) 1128.

-----Bill to repeal the tonnage duties for support of Light Houses, and for other purposes connected with the navigation of the Provincial waters; and to provide therefor out of the Consolidated Revenue; Presented and read, (216) 1147. Read second time; Committed; Considered; Reported; To be engrossed, (265-266) 1334. Passed, (271) 1364. By the Council, (285) 1413. Royal Assent, (358) 1667. [14 & 15 Vic., c. 52.]

-----Vide Accounts and Papers, 79; Governor General, Messages from His Excellency, 6.

LINCOLN AND WELLAND:--Petition of the Municipal Council of those Counties, for authority to levy a poor-rate, (22) 101, (37) 151.

-----Petition of the same, praying that a sum of £1,095 paid out of their local funds for expenses of the administration of justice, may be refunded, (22) 101, (37) 151.

L'ISLET:--Petition of Rev. F.X. Delage and others, for aid to construct a wharf in the Parish of Notre Dame de Bonsecours de l'Islet, (45) 196, (52) 226.

-----Vide Game.

LIVERPOOL, STEAMERS TO:--House resolves to go into Committee to consider certain Resolutions respecting the establishment of a line of steam vessels between Liverpool and the St. Lawrence, (85-86) 416-418. Consideration of said Resolutions, postponed, (124) 617, (170) 892, (179) 934-935. Considered, (229) 1187-1188. Further considered, and no report made, (232) 1197-1203.

-----Vide Addresses, To Her Majesty, 1.

LOANS, PROVINCIAL:--Vide Accounts and Papers, 57; Addresses, To His Excellency, 62; Railroads; Supply.

LOYALTY:--Vide Accounts and Papers, 24; Governor General, Messages from His Excellency, 2.

LUNATIC ASYLUM, TORONTO:--Petition of John Coppins, late a keeper therein, complaining of abuses in the management of the same, and praying for an inquiry, (134) 668, (139) 703.

-----Question, relative to the management thereof; Answer, 1071.

-----Vide Accounts and Papers, 58-62; Addresses, To His Excellency, 34, 35, 42, 56; Questions, Negatived or Superseded, 38.

LUNATIC ASYLUMS, PRIVATE:--Bill for the regulation thereof; Presented and read, (217) 1154. Read second time; Committed, (288) 1419. Considered, (325) 1565. Reported; To be engrossed, (331) 1594. Recommitted; Considered; Reported; Read third time; Passed, (345) 1634. By the Council, (353) 1651. Royal Assent, (359) 1669. [14 & 15 Vic., c. 84.]

LUNATICS:--Bill to authorize their confinement, when dangerous; Presented and read, (217) 1154. Read second time; To be engrossed, (288) 1419. Passed, (298) 1469. Returned from the Council, with an amendment, (332) 1596. Considered, and agreed to, (334) 1600. Royal Assent, (359) 1669. [14 & 15 Vic., c. 83.]

LYONS, JAMES:--Petition of, for payment of a sum due him by the Board of Works, for engineering services in the Newcastle and Colborne Districts, (198) 1046, (206) 1096.

M.

MACAIRE, LOUIS CYRUS:--Petition of, for compensation for the destruction of his hotel at Montreal, in 1846, while in possession of the Authorities for the purpose of holding a Coroner's Inquest therein, (118) 580, (120) 598. Printed, (134) 670. Motion, to refer Petition, negatived on division, (206) 1097.

MAGISTRATES:--Vide Accounts and Papers, 104; Addresses, To His Excellency, 30; Justices of the Peace.

MANUFACTURING COMPANIES: Vide Joint Stock Companies.

MARRIAGES:--Bill to amend the law relating to the solemnization of matrimony in Upper Canada; Presented and read, (163) 847. Read second time; Committed, (263) 1325-1326.

-----Bill to remove impediments in the way of early marriages; Presented and read, (246) 1260.

-----Vide Census.

MARRIED WOMEN:--Bill to enable married women resident in foreign countries to convey their real estate in Upper Canada; Presented and read, (135) 672-673. Read second time; Committed, (254) 1300. Considered; Reported; To be engrossed, (323) 1560-1561. Passed, (332) 1595. By the Council, (342) 1625. Royal Assent, (360) 1671. [14 & 15 Vic., c. 115.]

MASKINONGE, SEIGNIORY OF:--Petition of F. Boucher and others, for revival and amendment of the Act regulating the Common of the said Seignior, (4) 7, (6) 19. Referred to Committee on Standing Orders, (66) 302. Report thereon, (79) 383. Bill presented and read, (92) 438. Read second time; Referred to Committee on Private Bills, (132) 662. Reported; Committed, (152-153) 763-764. Considered, (262) 1321. Reported; To be engrossed, (272) 1365. Passed, (282) 1399. By the Council, (301) 1488. Royal Assent, (360) 1673. [14 & 15 Vic., c. 134.]

MASSON COLLEGE:--Petition of Rev. T.B. Pelletier and others, for aid thereto, (57) 256, (61) 286.

MATCHEDASH:--Vide Orillia.

MCCARTHY, D'ALTON:--Petition of, for admission as an Attorney in the Courts of Upper Canada, (39) 169, (49) 215. Referred to Committee on Standing Orders, (66) 302. Report thereon, (72) 338-339. Bill presented and read, (87) 419. Question for second reading, postponed six months, (131) 659-660.

MCCORD, MR.:--Vide Accounts and Papers, 75; Addresses, To His Excellency, 51.

MCGILL COLLEGE:--Petition of the Medical Faculty thereof, for the usual aid, (101) 480, (104) 490.

MCINTOSH, JOHN:--Petition of, for remuneration for articles furnished the militia at Fort Erie during the Rebellion, (70) 335, (78-79) 382.

MCKENZIE, JOHN:--Petition of, representing that he is imprisoned for debt in Lambton and cannot avail himself of bail to return to his family who reside in

Essex, beyond the Gaol limits; and praying relief, (60) 284, (71) 336.

MCLEOD, MARTIN:--Petition of, for consideration of his claim for land as an officer on the half-pay of the 25th Regiment, (91) 436, (102) 482. Motion, to refer Petition, negatived on division, (115) 557.

MECHANICS:--Bill for the better security of mechanics, &c., erecting buildings and furnishing materials therefor; Presented and read, (116) 561. Read second time; Referred; Motions, for Instructions to Committee to restrict operation of Bill to Upper Canada and to Lower Canada, respectively, negatived on divisions, (246-247) 1263-1265. Bill relative to the payment of mechanics in goods (vide below) referred, with an Instruction, (254) 1300. Reported; Committed; Considered, (266-267) 1352. Reported; To be engrossed, (282) 1399. Motion, to postpone passing six months, negatived on division; Bill passed, (295) 1439-1440.

-----Bill to prohibit the payment of mechanics, &c., in goods, or otherwise than in money; Presented and read, (136) 673. Read second time; Referred to Committee on foregoing Bill, with an Instruction to confine its operation to Toronto, (254) 1301. Reported; Committed; Considered, (266-267) 1352. Reported; To be engrossed, (282) 1399. Third reading postponed six months, (295) 1439-1440.

-----Petition of William Robins and others, of Toronto, for adoption of measures to abolish the truck system in paying mechanics, &c., and to protect them by a Lien Law, (149) 750, (155) 780.

MECHANICS' INSTITUTES:--Vide Library Associations.

MEDICAL BOARD, TORONTO:--Questions, concerning addition of members thereto; Answer, 870.

-----Vide Accounts and Papers, 63; Addresses, To His Excellency, 12, 28.

MEDICAL PROFESSION:--Bill to amend the Act incorporating the Medical Profession in Lower Canada, and to afford relief to certain persons who were practising when the Act became law (Mr. Sanborn); Notice of Motion, 188. Bill presented and read, (53) 229. Order for second reading, (90) 428-429, (126-127) 623. Motion, to postpone second reading six months, negatived on division; Read second time; Referred, (179) 935-936. Reported; Committed, (259) 1312. Considered; Reported; To be engrossed, (343) 1626. Passed, (350) 1643. By the Council, (357) 1664. Royal Assent, (360) 1671. [14 & 15 Vic., c. 105.]

-----Bill to amend the law of Upper Canada relative to the practice of Physic and Surgery; Presented and read, (66) 303. Order for second reading, (127) 625. Question for second reading, postponed six months, (179) 937-939.

-----Bill to incorporate the Medical Profession in Upper Canada; Presented and read, (74) 348. Motion, for second reading; Amendment, to add "in six months," negatived on division; Bill read; Referred to Committee on Private Bills, (173) 916-919. Reported, (204) 1080. Committed, (215) 1143. Considered, (353) 1651. Reported; To be engrossed, (354) 1653.

-----Bill further to amend the law relative to the practice of physic, &c., in Lower Canada (Hon. Mr. LaTerrière); Presented and read, (77) 361. Order for second reading, (174) 922. Motion, for second reading; Debate thereon adjourned, (196) 1036. Resumed; Motion, to postpone question six months, negatived on division; Bill read; Committed, (211-212) 1128-1130. Considered; Reported; To be engrossed, (349) 1641. Motions, to postpone third reading three months, negatived on divisions, (349) 1641, (351-352) 1647-1648. Bill

passed, (352) 1648-1649.

-----Petition of J. Painchaud and others, physicians and surgeons of Quebec, for amendment of the Act regulating the study and practice of Medicine in Lower Canada, (19) 78, (33) 125. Referred, (37) 152. Petition of Dr. Munro and others, praying that students in the Montreal School of Medicine may be put on an equal footing with those of McGill College as regards examination, also referred, (41) 172. Report, (72) 337-338.

-----Petitions for the removal of all disabilities from persons practising physic (without being licensed):--Of Rev. N.F. English and others, (60) 284, (71) 335. Of A. Farewell and others, of Upper Canada, (103) 488, (111) 536. Of Palmer Lee and others, (107) 518, (115) 556. Of Peter Perry and others, (114) 556, (120) 597. Of Archibald McCallum and others, (120) 597, (130) 657. Of Eli Gorham and others, (128) 636, (134) 669. Of Abel Bristol and others, (158) 808, (162) 845.

-----Petition of John G. Boothe and S.F. Urquhart, for authority to Members of the Canadian Eclectic Medical Society to study and practice physic according to their own rules, (109) 534, (118) 580.

-----Petition of Dr. A.F. Holmes and others, Medical Faculty of McGill College, praying that the Bill to amend the law so as to admit every person having a Medical Degree or Diploma, to practice without examination, may not pass, (134) 668, (139) 703-704.

-----Petitions for election of the Provincial Medical Board by the medical men in the respective Townships,--that the teaching of medicine be left open to competition,--and that the endowment of the University of Toronto be re-invested in the Crown, and the proceeds be expended, part for the University and part for educational purposes:--Of George Sloane and others, of Halton; Of W. Halford and others, of Simcoe, (317) 1544, (320) 1554. Of William Hill and others, of York; (333) 1599, (344) 1631. Of William Richmond and others, of Norfolk and Middlesex, (344) 1631. Petitions of Sloane and Halford referred, (344) 1631.

-----Vide Accounts and Papers, 63; Addresses, To His Excellency, 12, 28.

MEGANTIC:--Vide Sherbrooke, Drummond and Megantic.

MEMBERS:--Bill to vacate the seats of Members of the Assembly in certain cases; Presented and read, (95) 460. Notice of Motion, to refer a certain document to Committee on the Bill, 530. Question for second reading postponed six months, (198) 1042-1043.

-----Bill to amend the Act to indemnify Members for their expenses in attending the Sessions; Presented and read, (226) 1181.

-----Postage on all letters and papers to and from Members to be charged to the Contingencies, (2) 2.

-----Resolution, That no Member shall have leave to speak on any question for more than half an hour, (163) 847-848.

-----Allowed to speak longer than half an hour upon certain questions, (157) 793, 1025, (202) 1061, (208) 1104, (232) 1204-1205.--Leave refused, (344-345) 1632.

-----Members returned upon new writs take their seats, (1) 2.

-----Obtain leave of absence:--On urgent private business, (38) 153, (216) 1147.--Sickness in family, (67) 304, (203) 1079.

-----Complaint, by a Member, that another Member has unjustly received indemnity and mileage allowance, 802.

-----Complaint, by a Member, of an assault having been committed upon him by another Member in one of the Corridors, (192-193) 1008-1011. Vide Privileges.

-----Complaint, by a Member, that letters have been delivered to him which have previously been opened, 1269.

- Death of a Member; House adjourns out of respect to his memory, (328) 1583. New writ ordered, (330) 1592.
- Notice taken that a Member whose name was recorded upon a division, was not in the House while the names were being recorded, he states he was present when the vote was taken, and had only been out at the door; he is accordingly allowed to give his vote, (351) 1647. His vote having been recorded with the Yeas, when he had intended to vote with the Nays, he is allowed by Mr. Speaker to change it; Mr. Speaker's decision appealed from, and confirmed by the House, (352) 1647.
- Motion, that the Clerk do lay on the Table a Statement of the Sessional Allowance and mileage paid to each Member, in 1849 and 1850, negatived, (184) 970.
- Vide also Government, Provincial; Newspapers.

MERCHANTS:--Bill for the relief of merchants, traders, and others; Presented and read, (6) 16. Order for second reading, (44) 184. Question for second reading postponed six months, (67) 305-307.

MESSAGES:--Vide Governor General, Messages from His Excellency; Legislative Council, Messages from; Legislative Council, Messages to.

- MIDDLESEX:--Petition for a division thereof by a line from East to West, as provided by the Territorial Divisions Bill:--Of Municipality of Dunwich, (36) 149, (40) 170. Of Robert Fleming and others, of South Dorchester; Of Thomas Vincent and others, of Bayham; Of Isaac Campbell and others, of Westminster and Delaware; Of Francis Robinson and others, of Aldborough, (45) 196, (52) 225-226. Of Municipality, Township of Southwold; Of Municipality, Township of Malahide; Of Municipality, Township of Yarmouth; Of Municipality, Township of Dunwich, (91) 436, (102) 481.
- Petitions against a Northern and Southern division:--Of J. Rae and others, (19) 78, (32) 124. Of the same, (36) 149, (40) 170.
 - Petitions against any division, of if any be made that it be by a line from North to South:--Of Francis Nichol and others, (91) 435, (101) 481. Of Manley Dickson and Edward Handy, of Carradoc, (91) 435, (104) 490. Of Municipal Council, County of Middlesex, (103) 488, (110) 536. First and last Petitions referred to Committee of the whole on the Territorial Divisions Bill, (112) 539. Of Neil Munro and others, of Mosa and Aldborough, (134) 668, (139) 704.
 - Notice of Motion, relative to Middlesex County Council, 530.
 - Vide Territorial Divisions.

- MILITIA:--Petitions for an extension of the time for producing Militia claims in Lower Canada:--Of Joseph Bruneau and others; Of Louis Giguère and others; Of Gervase Maccomber and others, of Montreal, (17) 62, (20) 80. Petition of Bruneau printed, (33) 125. Of John Eakins and others, (60) 284, (71) 336. Motion to refer Petition of Bruneau, negatived on division, (158) 808-810.
- Petition of John McLean, complaining that he has not received his quota of land for his services in the Militia during the last war, (5) 15, (18) 63.
 - Petition of Captain Angus Kennedy, 2nd Glengary Militia, for grants of land to himself and his company for their services during the last war, (22) 101, (37) 151.
 - Petition of Charles Benoit and others, for remuneration for their services during the last war, (91) 435, (101) 481.
 - Question, relative to compensation to militiamen in consequence of a misinterpretation of 12 Vic., cap. 31; Answer, 684. Petition of Jean Baptiste Pâquet and others, militiamen, complaining that by a misinterpretation of the said law they have failed to obtain compensation for their services, and praying relief, (256) 1307, (266) 1352. Motion, to print Petition, negatived on

division, (267) 1353.

MILLERS:--Bill to regulate the amount of toll to be taken by millers in Upper Canada; Presented and read, (87) 420. Question for second reading, postponed six months, (196) 1037.

-----Petition of J. & W. Northwood and others, of Chatham, against the Bill, (114) 556, (120) 598.

-----Vide Rivers and Rivulets.

MINING LICENCES:--Vide Accounts and Papers, 64; Addresses, To His Excellency, 20.

MINORS:--Vide Apprentices.

MISSISQUOI AND SHEFFORD:--Petition of Stephen S. Foster and others, for erection of those Counties, with the townships of Potton and Bolton, into a Judicial District, with a Resident Judge, (103) 488, (111) 536.

MONTAGUE AND NORTH ELMSLEY:--Petition of John McGill Chambers, for appointment of a Commission to settle the boundary line on the 4th Concession of those townships, (81) 405, (94) 457.

MONTGOMERY, JOHN:--Petition of, complaining of the destruction of his property near Toronto during the Rebellion, and praying relief, (32) 123, (36) 150. Motion to refer Petition, negatived on division, (46) 197-198.

MONTMORENCY BRIDGE:--Vide Quebec Turnpike Roads.

MONTREAL (CITY):--Petition of the Mayor, Aldermen and Citizens, for an Act to amend and consolidate the Acts incorporating that city, (91) 435-436, (101) 481. Referred to Committee on Standing Orders, (105) 491. Report thereon, (110) 535. Bill thereon; Notice of Motion, 486. Presented and read, (113) 544. Read second time; Referred, (133) 665-666. Reported; Committed, (177) 931. Considered, (268) 1355. Reported; To be engrossed, (282) 1399-1400. Passed, (295) 1441. Returned from the Council, with amendments, (324) 1562-1563. Considered, and agreed to, (329-330) 1590-1591. Royal Assent, (360) 1672. [14 & 15 Vic., c. 128.]

MONTREAL AND KINGSTON RAILWAY:--Petition of John Young and others, for an Act of Incorporation, (22) 101, (37) 151. Referred to Committee on Standing Orders, (41) 172. Report thereon, (50) 219. Bill presented and read, (53) 228. Read second time; Referred to Committee on Railroads, (90) 428. Reported, (239) 1237. Committed, (240) 1237. Considered, (246) 1262-1263. Reported; To be engrossed, (250) 1285. Passed, (259) 1313. Returned from the Council, with an amendment, (332) 1596. Considered, and agreed to, (333-334) 1599-1600. Royal Assent, (361) 1673. [14 & 15 Vic., c. 143.]

-----Petition of Montreal and Lachine Railroad Company, for a provision in the Bill, for the protection of their rights, (107) 518, (115) 556.

-----Petitions for the construction of a Railway from Montreal to Kingston by the line of the Ottawa River:--Of William Morrin and others, of Two Mountains, (36) 149, (40) 170. Referred to Committee on Standing Orders, (41) 172. Report, that the Petitions do not apply for an Act of Incorporation, (50) 219. Of Municipality of Drummond; Of Municipality of Perth, (39) 169, (49) 215. Of Samuel Jenkins and others, of La Chute; Of John Counter and others, of Frontenac &c., (45) 195, (51) 224; Of Municipality of Bathurst and South Sherbrooke; Of J.W. Anderson and others, of Lanark and Darling, (46) 196,

(51) 224. Petitions referred to Committee on Standing Orders, (52) 227, (58-59) 260. Report thereon, (110) 535. Of J. Kearns and others, of Prescott and Russell, (51) 224, (61) 285. Of P. Filiatrault and others, of St. Thérèse, (67) 315, (75) 357. Of Municipality of Burgess, (93) 456, (102) 482. Petitions referred to Committee on Railroads, (76) 358, (108) 524. Of G.G. Dinning and others, of Cumberland, (104) 489, (111) 536.

-----Petition of George Crawford and others, for an Act of Incorporation as the Montreal, Ottawa, and Kingston Grand Trunk Railroad Company, (70) 335, (79) 382. Referred to Committee on Standing Orders, (83) 411. Report thereon, (94) 458. Bill presented and read, (106) 510. Read second time; Referred to Committee on Railroads, (133) 665. Report thereon, (358) 1666. (Appendix U.U.)

MONTREAL AND LACHINE RAILROAD:--Vide Accounts and Papers, 65.

MONTREAL AND VERMONT JUNCTION RAILWAY COMPANY:--Petition of, for authority to construct a branch line to connect with certain Eastern Lines of railway, (120) 597, (130) 657. Referred to Committee on Standing Orders, (134-135) 670. Report thereon, (139) 705. Bill presented and read, (160) 827. Read second time; Referred to Committee on Railroads, (174) 921. Reported, (203) 1079. Committed, (204) 1080. Considered; Reported; To be engrossed, (270) 1362. Passed, (282) 1398-1399. Returned from the Council, with amendments, (316) 1539. Considered, and agreed to, (318-319) 1545-1547. Royal Assent, (361) 1673. [14 & 15 Vic., c. 145.]

MONTREAL ASSURANCE COMPANY:--Vide Accounts and Papers, 5.

MONTREAL BANK:--Vide Accounts and Papers, 9.

MONTREAL BANQUE DU PEUPLE:--Vide Accounts and Papers, 12.

MONTREAL CITY AND DISTRICT SAVINGS BANK:--Vide Accounts and Papers, 13.

MONTREAL CITY BANK:--Vide Accounts and Papers, 16.

MONTREAL COURT HOUSE:--Petition of the Montreal Section of the Bar of Lower Canada, for adoption of more equitable means of raising the sum required to rebuild the same, (36) 150, (40) 171.

MONTREAL DIOCESE:--Vide Church of England.

MONTREAL FIREMEN'S BENEVOLENT ASSOCIATION:--Petition of, for amendments to their Act of Incorporation, (91) 435, (101) 481. Referred to Committee on Standing Orders, (105) 491. Report thereon, (110) 535. Bill thereon; Notice of Motion, 486. Presented and read, (113) 544. Read second time; To be engrossed, (133) 665. Passed, (136) 675. By the Council, (153) 769. Royal Assent, (229) 1188. [14 & 15 Vic., c. 41.]

-----Vide Accounts and Papers, 66.

MONTREAL GAOL:--Bill to recover from the Corporation of Montreal, a portion of the expense of guarding the same; Presented and read, (319) 1547. Read second time; Committed; Considered; Reported; To be engrossed, (343) 1627. Passed, (350) 1643. By the Council, (357) 1664. Royal Assent, (360) 1672. [14 & 15 Vic., c. 29.]

MONTREAL GENERAL HOSPITAL:--Petition of the Corporation thereof, for the usual

aid, (81) 404, (93) 456. Petition of Sister M.R. Coutlée and others, for the same, (36) 150, (40) 171.

MONTREAL HARBOUR:--House goes into Committee to consider of altering the Montreal Harbour tolls; Order for Report, (59) 262. Resolution reported, and agreed to, (67) 304.

-----Bill to amend the Act 13 & 14 Vic., c. 97, for improving the Harbour of Montreal and to alter the rates of wharfage; Presented and read, (67) 304-305. Read second time; Committed, (93) 441. Considered; Reported; To be engrossed, (172) 907. Passed, (178) 933. By the Council, (199) 1053. Royal Assent, (230) 1190. [14 & 15 Vic., c. 27.]

MONTREAL HORTICULTURAL SOCIETY:--Petition of, for aid, (45) 195, (51) 225.

MONTREAL HOTEL-DIEU:--Petition of Sister Dupuis, for aid to the Hospital of that Community, (91) 435, (101) 481.

MONTREAL LADIES' BENEVOLENT SOCIETY:--Petition of, for aid, (40) 170, (49) 214.

MONTREAL L'HOSPICE DE LA MATERNITE:--Petition of Sister Ste. Jeanne de Chantal and others, Sisters of Mercy, praying that the aid formerly allowed to an Hospital in Montreal for the like purpose may be transferred to them, (46) 196, (52) 226.

MONTREAL MARINE MUTUAL INSURANCE COMPANY:--Petition of Hon. G. Moffatt and others, for an Act of Incorporation, (57) 256, (61) 286. Referred to Committee on Standing Orders, (62) 288. Report thereon, (72) 338-339. Bill presented and read, (77) 361. Read second time; Referred to Committee on Private Bills, (131) 658. Reported; To be engrossed, (152) 763. Passed, (161) 831. Returned from the Council, with amendments, (195) 1021. Considered, and agreed to, (199) 1047. Royal Assent, (361) 1674. [14 & 15 Vic., c. 164.]

MONTREAL MECHANICS' INSTITUTE:--Vide Accounts and Papers, 67.

MONTREAL, OTTAWA, AND KINGSTON RAILWAY:--Vide Montreal and Kingston Railway.

MONTREAL PROTESTANT ORPHAN ASYLUM:--Petition of the Ladies Directresses, for the usual aid, (46) 196, (52) 226.

MONTREAL PROVIDENT AND SAVINGS BANK:--Petition of J.P. Shepherd and others, complaining of the delay in winding up the affairs of the said Bank, and praying for the appointment of an official manager for that purpose, (114) 556, (120) 598.

-----Vide Accounts and Papers, 14, 68; Addresses, To His Excellency, 41.

MONTREAL RIVER POLICE:--House goes into Committee to consider of establishing a River Police at Quebec and Montreal, (145) 730-731. Several Resolutions, providing a fund (by a tonnage duty on sea-going vessels, &c.) to defray the expenses of the said River Police, reported and agreed to, (156) 783-784. Bill presented and read, (157) 785. Read second time; To be engrossed, (189) 981. Passed, (194) 1020. By the Council, (204) 1080. Royal Assent, (230) 1190. [14 & 15 Vic., c. 24.]

-----Vide Quebec River Police; Seamen.

MONTREAL ROMAN CATHOLIC ORPHAN ASYLUM:--Petition of Mrs. E. Arnoldi and others, for aid thereto, (60) 284, (71) 336.

MONTREAL ST. PATRICK'S ORPHAN ASYLUM:--Petition of Roman Catholic Bishop of Montreal and others, for aid to complete an Orphan and Emigrant Asylum in connexion with St. Patrick's Church, (19) 78, (33) 125.

MONTREAL SCHOOL OF MEDICINE:--Petition of P.A.C. Munro and others, for such an amendment of 8 Vic., c. 81, as to place students in the said School on an equal footing with those of McGill College, as regards their examination by the Provincial Medical Board, (22) 101, (37) 150. Referred to Committee on a Petition for amendment of the Act regulating the study, &c., of Medicine, (41) 172.

-----Petition of P.A.C. Munro and others, for the usual aid to that institution, (36) 149, (40) 170.

-----Vide Medical Profession.

MONTREAL TRINITY HOUSE:--Bill to amend the Montreal Trinity House Act; Presented and read, (23) 102. Read second time; Committed, (48) 203-206. Considered; Reported; To be engrossed, (69) 319. Passed, (92) 439. By the Council, (111) 537. Royal Assent, (229) 1188. [14 & 15 Vic., c. 26.]

-----Motion, to refer the accounts of the Montreal Trinity House for the year 1850 to a Select Committee, 374. Withdrawn Motion, 375.

-----Vide Accounts and Papers, 69.

MONTREAL TURNPIKE ROADS:--Vide Accounts and Papers, 70.

MONTREAL UNIVERSITY LYING-IN HOSPITAL:--Petition of Mrs. Margaret Lunn and others, for aid thereto, (45) 195, (51) 224.

MORRISON, ALEXANDER:--Vide Accounts and Papers, 71; Addresses, To His Excellency, 19.

MORTGAGEES:--Bill for the relief of Mortgagees; Presented and read, (22) 92. Read second time; To be engrossed, (44) 185. Passed, (47) 202. By the Council, (233) 1212. Royal Assent, (358) 1667. [14 & 15 Vic., c. 45.]

MUNICIPALITIES (LOWER CANADA):--Bill intituled "The Lower Canada Municipalities Bill" (Hon. Mr. LaFontaine); Presented and read, (21) 91. Order for second reading, (47) 202, (93) 440. Order for second reading discharged; Bill withdrawn, (174) 921-922.

-----Petitions against the Bill:--Of Municipal Council of Quebec (County), (81) 404, (93) 456. Of Pierre Dorion and others, of St. Charles de Charlesbourg, (107) 518, (115) 556. Of Municipal Council No. 1, County of Rimouski, (118) 580, (120) 597.

-----Bill to explain and amend certain enactments relating to the Municipal Law (Mr. Sanborn); Presented and read, (106) 511.

-----Bill to repeal a proviso of 13 & 14 Vic., c. 34, amending the Lower Canada Municipalities Act (Mr. Sauvageau); Presented and read, (163) 847. Read second time; To be engrossed, (290) 1426. Passed, (296) 1447. By the Council, (301) 1488. Royal Assent, (359) 1670. [14 & 15 Vic., c. 99.]

-----Bill further to amend the Municipal Laws of Lower Canada (Hon. Mr. Price); Presented and read, (267) 1353. Read second time; Committed; Considered, (332) 1596. Reported; To be engrossed, (350) 1644. Passed, (354) 1654. By the Council, (358) 1665. Royal Assent, (359) 1670. [14 & 15 Vic., c. 98.]

-----Petitions for payment of claims against the late Municipal Councils:--Of Alexis Rivard and Joseph Garon, (39) 169, (49) 216. Of F.S.R. Bellefeuille and others, of Three Rivers, (70) 335, (78) 381.

-----Petition of Municipality of the Village of Huntingdon, praying that in any

legislation on the Municipal Institutions the office of Grand Voyer may not be created, and that the County of Beauharnois may remain as at present, (101) 480, (104) 489-490.

-----Petition of Municipal Council, County of Portneuf, for abolition of Municipal Institutions,--for extension of admission as Notaries to certain persons,--for amendments to the Intemperance Suppression Bill,--against the Lower Canada Road Bill, &c., (101) 480, (104) 490.

-----Vide Public Works.

MUNICIPALITIES (UPPER CANADA):--Bill to protect parties for acts done under By-laws of municipal corporations in Upper Canada, and to limit the time for quashing such By-laws; Presented and read, (73) 345. Order for second reading discharged; Bill withdrawn, (214) 1132.

-----Bill for better securing the independence of Municipal Councils in Upper Canada; From the Council, (111) 538. Read first time, (112) 538. Order for second reading, (150) 752. Motion, to postpone second reading three months, negatived on division; Read second time, (256) 1303-1304. Third reading postponed three months, (261) 1317.

-----Bill to amend the Municipal Act of 1849, by adapting it to the later change in the Assessment Laws, &c.; Presented and read, (145) 730. Read second time; Committed; Resolution for remunerating Recorders of Cities for holding Division Courts therein, referred, (217) 1154. Considered, (288) 1420-1421, (301) 1492-1493. Reported; Amended; Several motions to recommit Bill, negatived on divisions, (305-308) 1506-1512. Amendments amended; Bill to be engrossed, (308) 1512. Read third time; Ryder added; Passed, (327) 1572. By the Council, (342) 1624. Royal Assent, (360) 1671. [14 & 15 Vic., c. 109.]

-----Petitions for amendments to the Municipal Act:--Of Municipal Council, County of York, (17) 62, (20) 80. Of Municipal Council, County of Kent, (32) 123, (36) 150. Of Municipal Council of Prince Edward, (36) 149, (40) 170. Of Municipal Council, United Counties of Stormont, Dundas and Glengary, (40) 170, (49) 215. Of Mayor and Corporation of City of Hamilton, (51) 224, (61) 285. Of Mayor and Corporation of City of Toronto, (103) 488, (110) 536. Of Municipal Council, United Counties of Leeds and Grenville, (120) 597, (130) 657. Of Thomas Raile and others, of Loughborough, (138) 703, (149) 750.

-----Petition of Municipal Council of Hastings, for such an amendment of the Municipal Act as to direct that all moneys collected for County purposes be paid to the County Treasurer, (36) 150, (40) 171.

-----Petition of Municipal Council, United Counties of Huron, Perth, and Bruce, praying that the receipt and expenditure of Municipal Corporations may be left to their own discretion, (70) 335, (78) 382.

-----Petition of Municipal Council, United Counties of Lanark and Renfrew, for the better management of County funds,--appointment of local officers by the Municipal Councils,--for amendment of the Jury Law,--and against any alteration of the Census Law, (120) 597, (130) 657.

-----Petition of Municipal Council, United Counties of Essex and Lambton, for such an amendment of the Municipal Act as to provide for the payment of township councillors, (158) 808, (163) 845.

-----Petition of Municipal Council, United Counties of Essex and Lambton, for alteration of the law requiring publication of lists of Magisterial convictions, and of Tavern Licences issued, and Statements of Accounts of Municipal Councils, (158) 808, (163) 846.

-----Vide Public Works; Roads and Bridges.

MURRAY, PATRICK:--Petition of, for the payment of rent for a house in Brockville

used for sheltering emigrants, (78) 381, (82) 406.

MURRAY, WILLIAM:--Petition of, for compensation for losses, &c., as a Contractor on the Welland Canal, (51) 224, (61) 285. Motion, to refer Petition, negatived on division, (105) 491.

MUSEUM, PROVINCIAL:--Vide Patents.

MUSK-RATS:--Vide Game.

MUTUAL FIRE INSURANCE COMPANIES:--Bill to authorize the establishment of a second Mutual Insurance Company for the country parts of counties in Lower Canada where there are large towns; Presented and read, (54) 232. Read second time; Referred, (90) 429. Petition in favor also referred, (105) 491. Member added, (106) 511. Bill reported, with amendments; Printed; Committed, (116) 558. Considered; Reported; To be engrossed, (175) 924. Passed (as a Bill to amend and make permanent the Acts relating to Mutual Insurance Companies), (178) 934. By the Council, (195) 1021. Royal Assent, (229) 1188. [14 & 15 Vic., c. 21.]

-----Bill to encourage the establishment of additional Mutual Insurance Companies in Upper Canada; From the Council; Read first time, (204) 1081.

-----Petitions for amendment of the Act authorizing the formation of such Companies in Lower Canada:--Of Rev. A. Duranseau and others, of St. Michel de Lachine, (39) 169, (49) 215. Of M. Raymond and others, of Longue Pointe, (81) 404, (94) 457. Of P.P. Russell and others, of Missisquoi and Rouville, (101) 480, (104) 490. Referred to Committee on the Bill, (105) 491. Vide above.

-----Petitions for authority to appoint an independent Mutual Insurance Company in the County of Montreal:--Of Pierre Dubreuil and others, (78) 381, (82) 405. Of Rev. Louis Lefebvre and others, (81) 404, (94) 457.

-----Petition of Joseph Charland and others, for authority to the Mutual Insurance Company of Chambly and Huntingdon to admit proprietors in Rouville, (107) 518, (115) 557.

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NAVAL RESERVES:--Bill to vest in the Commissioners for executing the office of Lord High Admiral of Great Britain, certain estates and property; Presented and read, (246) 1260. Read second time; Committed, (251) 1286. Considered; Motion, to postpone receiving Report three months, negatived on division, (288) 1419-1420. Reported; To be engrossed, (289) 1425-1426. Passed, (299) 1484. By the Council, (316) 1538. Royal Assent, (359) 1668. [14 & 15 Vic., c. 67.]

NAVIGATION LAWS:--Bill to amend the Act requiring vessels to carry a light, and regulating the navigation of the inland waters; Presented and read, (21) 92. Order for second reading, (56) 247. Read second time; Committed, (74) 349. Postponed, (107) 512, (141) 714. Considered, (192) 1007-1008. Reported amended; Recommitted and further amended; Reported; To be engrossed, (194-195) 1020-1021. Again recommitted; Reported, (200-201) 1055-1056. Passed, (203) 1079. Returned from the Council, with amendments, (334) 1602. Considered, and agreed to, (340) 1618-1619. Royal Assent, (360) 1672. [14 & 15 Vic., c. 126.]

-----Vide St. Lawrence, River.

NEGRO IMMIGRATION:--Vide Colour, Persons of.

NEWSPAPERS:--Bill to prevent mischiefs arising from the publishing of Newspapers, &c., by persons not known in Upper Canada; Notice of Motion, 530. Presented and read, (117) 572. Question for second reading postponed three months, (247-248) 1266-1267.

-----Hon. H. Sherwood (Member for Toronto, City) addresses the House in answer to a charge made in the Globe Newspaper, that he made a proposition to certain reporters that the speeches of Opposition Members be reported in full, while speeches of Members on the Ministerialist side be reported only briefly, or not at all, 769-801.

NIAGARA HARBOUR AND DOCK COMPANY:--Petition of Hon. Mr. Cayley, for leave to present a Petition from the said Company (after expiration of the time for presenting Petitions for Private Bills); Leave granted, (171) 903.

-----Petition of the Company, for authority to dispose of their property, &c.; and Petition of Clarke Gamble, Esq., for authority to sell his interest in certain property conveyed to him by the Company, (172) 915, (176) 929. Both referred to Committee on Standing Orders, (177) 931. Report thereon, (198) 1046. Bill to amend their Act of incorporation; Presented and read, (205) 1082. Read second time; Referred to Committee on Private Bills, (238) 1232. Reported; Committed, (318) 1545. Considered; Reported; To be engrossed, (323) 1562. Passed, (327) 1573. By the Council, (342) 1625. Royal Assent, (361) 1674. [14 & 15 Vic., c. 153.]

NIAGARA RIVER:--Petition of James Miller and others, for an Act of incorporation to construct a canal from the mouth of the Niagara to the Welland Canal for hydraulic purposes, (91) 436, (102) 482.

NICHOL:--Petition of the Municipality of Nichol, praying that if the said township be divided, the division may be confined to the original plan of the village of Elora, (57) 256, (61) 286.

-----Petition of George Barron and others, for attachment of that township (if the Territorial Divisions Bill be passed) to Pilkington, (78) 381, (82) 406.

NICOLET, RIVER:--Vide Bécancour, Gentilly and Nicolet Rivers.

NICOLET SEMINARY:--Petition of the Corporation thereof, for aid, (19) 78, (32) 124.

NORFOLK:--Petition of Municipal Council, County of Norfolk, for the confirmation of certain By-laws of the late Talbot District Council, (81) 405, (94) 458. Referred to Committee on Standing Orders, (94) 458. Report that no notice was given, (110) 535.

NORMAL SCHOOLS:--Vide Accounts and Papers, 42, 61; Addresses, To His Excellency, 35; Education.

NOTARIES:--Bill to amend the Act of 12 Vic., relating to Notaries in Lower Canada; Presented and read, (59) 263. Read second time; To be engrossed, (127) 624. Passed, (136) 675. By the Council, (153) 769. Royal Assent, (229) 1188. [14 & 15 Vic., c. 20.]

-----Petition of J.E. Dumoulin and V. Guillet, on behalf of the Board of Notaries of Three Rivers, for the admission of students who have neglected to fyle their Indentures with the said Board, notwithstanding such neglect; and for other amendments to the law regulating the profession, (68) 315, (75) 357.

- Petition of Municipal Council, County of Portneuf, for extension of the right of admission to the practice of the Notarial Profession for certain persons, &c., (101) 480, (104) 490.
- Petition of C.P. Huot and others, of Quebec, for amendments to the Act organizing the Notarial Profession in Lower Canada, (149) 750, (155) 780. Referred, (160) 827. Report thereon, (182) 949.
- Vide Municipalities (Lower Canada); Relations and Friends.

NOVA SCOTIA:--Vide Governor General, Messages from His Excellency, 3, 12; Halifax and Quebec Railway.

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OFFICE, ACCEPTANCE OF:--Bill to restrict acceptance of office in certain cases; Presented and read, (117) 572. Question for second reading, negatived on division, (247) 1265-1266.

OFFICERS, PUBLIC:--Vide Public Officers.

OFFICIAL SALARIES:--Bill to enable judgment creditors to seize a portion of the salaries of public officers; Presented and read, (69) 317. Read second time; Motion, to commit Bill; Amendment, to refer it to a Select Committee, carried, (180) 940-942. Reported; Committed, (189) 994. Motion, that the Order of the Day for consideration thereof be called; Superseded by postponing the remaining Orders, (326) 1568-1569.

-----Petition of B. Lindsay, junior assistant law clerk, praying for an increase of salary; Presented; Motion for reception, withdrawn; Referred to Committee on Contingencies, 1552.

OLIVER, JOHN:--Petition of, for permission to exchange swampy land granted him, for other land, (160) 827, (165) 878.

ONTARIO, SIMCOE, AND HURON RAILROAD UNION COMPANY:--Petition of J. Laurie and others, of Vaughan, for repeal of the Acts 12 Vic., c. 29, and 13 & 14 Vic., c. 81, or any other Acts authorizing the taxation of the people for the construction of that or any other Railroad, (5) 15, (18) 64.

-----Vide Accounts and Papers, 91; Railroads.

ORDERS:--That the postage on all letters and printed papers to and from Members be charged to the Contingencies, (2) 2.

-----That the Votes and Proceedings of the House be printed, under the direction of Mr. Speaker, (4) 7.

-----That in the present Session, until the Address in answer to the Speech from the Throne shall have been adopted, the Order of the Day relating thereto shall be disposed of before the House will proceed with the daily routine, (4) 7.

-----That for the remainder of the Session no witness be paid for his attendance without the authority of the Contingent Committee, (to be renewed after four days' attendance); and that no witness residing in Toronto be paid, (34) 128.

-----That Wednesday in each week be set apart (after the Routine Business to dispose of Private Bills appointed for a second reading, (108) 525.

-----For a Call of the House, (156) 782. Vide House.

-----That for the remainder of the Session the House meet, on Wednesdays, at 10 o'clock, (161) 831.--Every day, (318) 1544.

- That for the remainder of the Session the Orders of the Day do, on Thursdays, precede Notices of Motions, (163) 847.
- That for the remainder of the Session the House do sit on Saturdays, from 10 till 5 o'clock, (170) 899.
- For refunding fees on Private Bills, (183) 955, (299) 1483, (358) 1666.
- That the third readings of Bills do take place at four o'clock each day, during the present Session, (178) 932.
- That the Clerk do prepare a Statement of all payments made by him for Contingencies or otherwise, since the beginning of the Session, (184) 957. Laid on the Table, (189) 993.
- That an analytical Index to the Acts of this Session, and such of those of former Sessions as are now in force but were not printed with the Public Acts of former years, be prepared by the Law Clerk, and printed at the end of the Public Acts of this Session, (207) 1100.
- That for the remainder of the Session Notices of Motions be not taken up until after the Orders of the Day, except those for the introduction of Bills, and such others as may be allowed to be proceeded with, (227) 1183.
- That Mr. Speaker be authorized to direct the compilation of a General Index to the Journals since the Union, on such terms as he may deem expedient,--the same to be printed, when completed, (320) 1555.
- That after the removal of the Parliament to Quebec, Mr. Speaker do direct one of the Clerks in the office to remain in charge of an office in Toronto, with fyles of the Journals, Statutes, &c.,--and to attend to the distribution of the Journals throughout Upper Canada, (356) 1661-1662.
- That Mr. Speaker do cause inquiry to be made as to what steps have been taken (under the Resolution of 23d July, 1847), for procuring Manuscript copies of certain missing Journals of the Legislature of Upper Canada,--and take such further steps in the matter as may be necessary, (358) 1665.
- Order passed on a previous day, amended, (150) 752.

ORDERS DISCHARGED:--For an Address to His Excellency for copies of despatches on the subject of rendering the Legislative Council elective, (109) 525.

- Vote of the House amending the amendments of the Council to a Bill, reconsidered and rescinded, (250) 1276-1277.
- For printing the Petition of Henry Allen, Esq., (320) 1554. Order discharging the same rescinded, (329) 1590.
- Vide also Bills.

ORDERS, STANDING:--That all documents presented to the House be referred to the Standing Committee on Printing, that they may report on the expediency of printing the same in the Appendix,--such Reports to contain an estimate of the cost of printing each document, (59) 261.

- That an additional number of the Journals and Appendices be printed, and one copy furnished to each Municipal Council now or hereafter erected,--and that pending their erection in Lower Canada an equal number as for Upper Canada be distributed in the several townships and parishes, under the supervision of the Clerk, (142) 716-719.
- That no Member shall have leave to speak on any question for more than half an hour, (163) 847.
- That the 41st Rule (relative to the "Previous Question") be amended by striking out the words "and debate," (201) 1056-1057.
- That such Orders of the Day as are not proceeded with, when read, be placed at the foot of the list, unless otherwise disposed of, (226) 1181.
- Rules and Standing Orders of the House to be printed, (33) 125.
- Rules and Standing Orders suspended, relative to:--Petitions, (150) 751, (171) 903, (292) 1432, (309) 1522, (320) 1554, (344) 1631.--Bills, (333) 1597, (350) 1644, (351) 1645.--Private Bills, (95) 461, (205) 1082, (245) 1259.

- Motion, that the House go into Committee to consider of rescinding the 41st Rule (relative to the "Previous Question"); Previous Question moved and carried; House goes into Committee; Resolution, That the expediency of rescinding the same, in whole or in part, be referred to the Committee on Privileges, reported and agreed to, (163) 848-850. (Vide Privileges.) Resolution, amending the said Rule by striking out the words "and debate," (201) 1056-1057.
- Motion, that the House go into Committee to consider of rescinding the 70th Rule (Fee of £15 on Private Bills), negatived on division, (74) 348.
- Motion, that the 19th Rule (that the House be cleared of strangers at the request of any one Member) be rescinded, and other provisions substituted, negatived by Speaker's casting vote, (207) 1098-1099. Vide House.
- STANDING COMMITTEE on Standing Orders appointed, (18) 66, (22) 93. PETITIONS REFERRED:--Of J.G. Bowes and others, (33) 125. Of William Morrin and others; Of Thomas Haworth and others; Of Woodstock and Lake Erie Railway Company; Of John Rolph and others; Of Milton Ragland; Of John Young and others; Of Champlain and St. Lawrence Railroad Company, (41) 172. Of George Rolph; Of James Madison Andrews and others; Of Port Hope Harbour Company; Of Municipal Council of Waterloo (arrears of taxes); Of A.D. Macdonell, (46) 198. Of M.L. Helliwell and others; Of P. Durnford and others; Of George S. Wilkes and his wife, Cairra Robbins; Of Municipal Council, United Counties of Wentworth and Halton (Court House), (50) 219. Of British American Fire and Life Assurance Company; Of Bishop of Montreal; Of Samuel Jenkins and others; Of Peter Hunter Hamilton; Of Thomas Helliwell and others; Of Great Western Railroad Company; Of Rev. Dr. Lett and others; Of D. Paterson and others, (52) 227. Of John Counter and others; Of F.C. Capreol; Of G.S. Tiffany and others; Of Port Burwell Harbour Company; Of Hon. C. Widmer and others, (59) 260. Of George Paterson and others; Of Hon. G. Moffatt and others, (62) 288. Of Alexander Douglas and others; Of F. Boucher and others; Of Edward Taylor Dartnell; Of D'Alton McCarthy; Of W.S. Burnham and others, (66) 302. Of James Cotton; Of Robert Cotton, (69) 317. Of Municipal Council of Haldimand (Cayuga); of Municipal Council of Peterborough (By-law); Of Rev. R.S.C. Taylor and others; Of Ira Gould and others, (72-73) 339. Of Andrew Thompson; Of F.C.T. Arnoldi and others; Of Allan Macdonell and others; Of Mayor, &c. of Quebec (Water-works); Of the same (arrears of taxes), (76) 358. Of S.W. Ryckman and others, (79) 383. Of George Crawford and others, (83) 411. Of P. Hébert; Of Church Society of Quebec; So much of 3rd Report as relates to Petition of Douglas referred back, (85) 415. Petitions of Rev. H. Grassett and others; Of James Benson and others; Of Kingston Water-works Company; Of Municipal Council of Norfolk, (94) 458. Of J.D. Ridout and others; Of Mrs. Sherwood and others; Of Quebec Building Society, (102) 483. Of J. G. Bowes and others (Toronto and Goderich Railway); Of W.P. Howland and others; Of T. Roy and others; Of E.R. Thomas and H. Inson; Of Montreal Firemen's Benevolent Association; Of Mayor &c., of Montreal (incorporation), (105) 491. Of Grand River Navigation Company; Of P.M. Laurin and others; (112) 539. Of Town Council of Brantford; Of Quebec Bank, (116) 559. Of Bytown and Prescott Railway Company; Of Municipal Council of Peterborough (Railway); Of J. Hall and others; Of Town Council of Peterborough; Of J. Moore and others, (119) 582. Of Archibald Campbell and others; Of C.H. Waterous, (123) 603. Of T. Fergusson and others; Of Montreal and Vermont Railway Company; Of J. Bettes and others; Of Rev. E. Wood and others, (134-135) 670. Of W.E. Twynam; Of Municipality of Wainfleet; Of J. Ker and others, (139) 704. Of W.P. McLaren and others, (144) 727. Of Niagara Harbour and Dock Company; Of Clarke Gamble, (177) 931. Of Hon. George Crookshank, (189) 993. FIRST REPORT of Committee (on Petitions of Champlain and St. Lawrence Railroad Company, James Madison Andrews, George Rolph, Thomas Haworth, John Young, Milton Ragland, William Morrin, and Port Hope Harbour

Company), (50) 219. SECOND REPORT (on Petitions of A.D. Macdonell, P. Durnford, George Wilkes, Municipal Council, United Counties of Wentworth and Halton, Peter Hunter Hamilton, Municipal Council of Waterloo, British American Fire and Life Assurance Company, J.G. Bowes, D. Paterson, Bishop of Montreal, John Rolph, Rev. Dr. Lett, Thomas Helliwell, George S. Tiffany, Hon. Christopher Widmer, Great Western Railroad Company, and Port Burwell Harbour Company), (62) 287-288. THIRD REPORT (on Petitions of W.S. Burnham, Edward Taylor Dartness, George Moffatt, George Paterson, Alexander Douglas, and F.C. Capreol), (72) 338-339. FOURTH REPORT (on Petitions of Alexander Macdonell, Andrew Thompson, Municipal Council of Peterborough, Municipal Council of Haldimand, Ira Gould, F.C.T. Arnoldi, Mayor, &c. of City of Quebec (2 Petitions), Rev. R.S.C. Taylor, Woodstock and Lake Erie Railway Company, and P. Boucher), (79) 382-383. FIFTH REPORT (on Petitions of S.W. Ryckman, James Cotton, and Robert Cotton), (85) 415. SIXTH REPORT (on Petitions of George Crawford, P. Hébert, Alexander Douglas, and Church Society of Quebec), (94) 458. SEVENTH REPORT (on Petition of Rev. H. Grassett), (103) 483-484. EIGHTH REPORT (on Petitions of Mrs. Sherwood, Kingston Waterworks Company, and Quebec Building Society), (105) 492. NINTH REPORT (on Petitions of J.G. Bowes, J.D. Ridout, W.P. Howland, J. Benson, Mayor, &c. of City of Montreal, Municipal Council of Norfolk, Montreal Firemen's Benevolent Association, E.R. Thomas and H. Inson, S. Jenkins, and John Counter), (110) 534-535. TENTH REPORT (on Petitions of Grand River Navigation Company, Town Council of Brantford, Quebec Bank, T. Roy, and P.M. Laurin), (119) 581. ELEVENTH REPORT (on Petitions of J. Moore, J. Hall, Bytown and Prescott Railway Company, Municipal Council of Peterborough, and Town Council of Peterborough), (121) 599. TWELFTH REPORT (on Petitions of Charles H. Waterous, and Archibald Campbell), (135) 670. THIRTEENTH REPORT (on Petitions of T. Fergusson, J. Bettes, Rev. E. Wood, and Montreal and Vermont Railway Company), (139-140) 705. FOURTEENTH REPORT (on Petitions of W.P. McLaren, W.E. Twynam, J. Ker, and Municipality of Wainfleet), (150) 751-752. FIFTEENTH REPORT (on Petitions of Niagara Dock Company, Clarke Gamble, and George Crookshank), (198) 1046.

ORDERS OF THE DAY:--Certain items to be first on the Orders of a future day, (88) 422, (106) 509, (113) 544, (118) 573, (123) 616, (179) 937, (196) 1036, (235) 1216, (285) 1411-1412, (298) 1480, (319) 1551, (337) 1608.--Second, (113) 544.--To stand immediately after a particular item, (240) 1237.

-----Resolution, that in the present Session, until the Address in answer to the Speech from the Throne shall have been adopted, the Order of the Day relating thereto shall be disposed of before the House will proceed with the daily routine, (4) 7.

-----Orders of the day and Notices of Motion postponed one day, the House not sitting on the Feast of Ascension, (33) 125.

-----Certain Orders of the day discharged, (45) 187, (88) 421, (96) 464, (109) 525, (131) 658, (133) 665, (151) 755, (169) 892, (173) 916, (174) 921, (179) 934, (214) 1135, (228) 1185, (232) 1203, (236) 1221, (254) 1300, (255) 1302, (256) 1303, (283) 1403-1405, (286) 1416, (321) 1557, (326) 1568, (337) 1612-1613, (343) 1627

-----Orders revived, (103) 484.

-----Called, (123) 615, (128) 636, (131) 658, (150) 752, (164) 857, (178) 932, (205) 1082.

-----Orders of the Day to precede Notices of Motions, on Thursdays, for the remainder of the Session, (163) 847.

-----Such Orders as are not proceeded with when called, to be placed at the foot of the list, unless otherwise disposed of, (226) 1181.

-----Notices of Motions (for remainder of the Session) to be taken up after the

Orders of the Day, except those for the introduction of Bills, and such others as may be allowed to be proceeded with; Notice of Motion, 1117.

Motion, (227) 1183. Motion (before the Orders of the Day) for leave to make a certain motion, negatived on division, (259) 1312.

-----Private Bills on the Orders of the Day to be taken up first on certain days, (108) 525, (150) 752, (173) 915-916, (267) 1354.

-----The Orders of the Day to be called, on the morrow, before the introduction of any new matter, (337) 1608.

-----Motion, to postpone remaining Orders of the Day, negatived on division, (152) 760, (174) 922.

-----Motion, that the Orders of the Day be taken up and the notices passed over; Withdrawn Motion, 870-871.

-----Motion, to restore a certain item to its original position on the Orders of the Day, negatived, (251) 1293.

-----Motion, that a certain item stand first on the Orders of the Day of the following day, negatived, (286) 1415.

ORILLIA:--Petition of the Municipality of Orillia, for grants of land to settlers on the line of a certain road through that township and Matchedash, (5) 15, (17) 63.

OTTAWA (COUNTY):--Vide Kamouraska.

OTTAWA RIVER:--Petition of James Wadsworth and others, for the construction of locks at the Paquet and Allumette Rapids on that river, (5) 15, (18) 63.

-----Vide Accounts and Papers, 72, 106.

OXFORD, BURFORD, AND WINDHAM:--Petition of Municipal Council of County of Oxford, for appointment of Commissioners to settle the boundary lines between those townships, (158) 808, (163) 845.

P.

PACAUD, LOUIS EDOUARD:--Petition of, for power to sue the Government for his salary as Commissioner of the Court of Bankrupts for Three Rivers, from 1844 to 1846, (48) 214, (57) 257.

PACIFIC RAILWAY:--Petition of Allan Macdonell and others, for an Act of Incorporation for the construction of a Railway from Lake Superior to the Pacific Ocean, (36) 149, (40) 171. Referred to Committee on Standing Orders, (76) 358. Report thereon, (79) 382. Bill to incorporate Lake Superior and Pacific Railroad Company; Notice of Motion, 431. Presented and read, (92) 437. Read second time; Referred to Committee on Railroads, (133) 664. Report thereon; Fee to be refunded, (358) 1666.

PARISHES, ERECTION OF:--Bill to amend the Act continuing the Ordinance concerning the erection of Parishes, Churches, &c. in Lower Canada; Presented and read, (43) 182. Order for second reading, (89) 425, (96) 466, (124) 619. Read second time; Referred, (142) 715-716. Reported; Committed, (181) 947. Considered; Reported; To be engrossed, (321) 1557. Passed, (330) 1592. By the Council, (342) 1624. Royal Assent, (360) 1670. [14 & 15 Vic., c. 103.]

-----Bill to provide for erection of Parishes for civil purposes in certain parts of Lower Canada; Presented and read, (135) 672. Read second time; Committed; Considered; Reported amended (so as to affect the Seignior of Argenteuil only); To be engrossed, (253-254) 1299. Passed, (260) 1314.

Returned from the Council, with amendments, (301) 1488. Considered, and agreed to, (302) 1499. Royal Assent, (360) 1670. [14 & 15 Vic., c. 136.]

PARLIAMENT, PROVINCIAL:--Bill to provide for the more convenient assembling of Parliament; Presented and read, (77) 361.

-----Bill to fix the time and place for the meeting of Parliament; Notice of Motion, 9. Postponed Motion, 94. Motion; Mr. Speaker declines receiving the motion, as repugnant to the provisions of the Union Act; His decision appealed from, and confirmed by the House, (54) 232-239.

-----Vide Civil List; Prorogation.

PARLIAMENT HOUSE (MONTREAL):--Petitions praying indemnity for the loss of property occasioned by the destruction of the Parliament House at Montreal:--Of André Leroux Cardinal, (130) 657, (137) 694. Referred to Committee on Contingencies, (150) 751. Report thereon, (309-313) 1523-1530.--Of William Winder, (184) 970, (194) 1018. Referred, &c., (199) 1047. Report thereon, (309-313) 1523-1530.

PARTY PROCESSIONS:--Bill to repeal the Act restraining party processions; Presented and read, (163) 847. Read second time; To be engrossed, (288) 1419. Passed, (295-296) 1441-1447. By the Council, (303) 1500. Royal Assent, (358) 1667. [14 & 15 Vic., c. 50.]

-----Petition of George Benjamin, Grand Master of the Orange Association, for repeal of the Act restraining party processions, (91) 435, (101) 481. Printed, (102) 483.

PATENTS:--Bill to extend the period for payment of fees on Crown Patents; Presented and read, (86) 418. Read second time; Committed, (119-120) 583. Considered; Reported; To be engrossed, (265) 1332. Passed, (272) 1365. By the Council, (285) 1413. Royal Assent, (359) 1668. [14 & 15 Vic., c. 56.]

-----Bill to enable the holders of patents for inventions in one section of the Province to have the same extended to the other section thereof; Presented and read, (207) 1100. Read second time; Committed, (251) 1286. Considered, (300) 1487. Reported; To be engrossed, (305) 1505. Passed, (309) 1523. By the Council, (324) 1562. Royal Assent, (359) 1669. [14 & 15 Vic., c. 79.]

-----Bill to establish a Patent Office (in connexion with the Provincial Secretary's Office), and a Museum; Notice of Motion, 513. Presented and read, (116) 559. Order for second reading discharged; Bill withdrawn, (322) 1559.

PAWNBROKERS:--Bill for the regulation of Pawnbrokers; Presented and read, (92) 437. Read second time; Committed, (175) 924. Considered, (290) 1428. Reported; To be engrossed, (300) 1487. Passed, (319) 1547. By the Council, (334) 1602. Royal Assent, (359) 1669. [14 & 15 Vic., c. 82.]

PENITENTIARY, PROVINCIAL:--Bill for the better management of the Provincial Penitentiary; Presented and read, (22) 102. Order for second reading, (47) 203, (70) 320, (88) 421, (96) 461, (123) 616. Read second time; Committed, (146) 733-735. Considered, (158) 794-795, (184) 964. Resolution, providing for the salaries of the officers (vide below), referred, (172) 907. Bill further considered, (172) 907-910. Reported; Recommitted thrice, and further amended; Several other motions to recommit, negatived on divisions, (186-188) 974-980. To be engrossed, (188) 980. Passed, (195) 1035. Returned from the Council, with an amendment; Considered, and agreed to, (216) 1146-1147. Royal Assent, (229) 1190. [14 & 15 Vic., c. 2.]

-----House goes into Committee to consider of providing from the Consolidated Revenue Fund for the several officers of the Penitentiary (His Excellency's

recommendation being signified), (160-161) 828. Resolution reported and agreed to, (169) 888. Referred to Committee of the whole on the Bill, (172) 907. Vide above.

-----Petition of Henry Smith, Esq., late Warden, complaining of the manner in which the charges against him were investigated by the Commissioners,--and of his removal from the said office; and praying relief, (57) 256, (61) 286. Motion, to refer Petition, negatived on division, (108) 519-524.

-----Petition of Thomas Costen, late Head-Keeper, complaining of his dismissal, and praying relief, (57) 256, (61) 286.

-----Petition of John Counter and others, of Kingston, for relief from the grievances arising out of the present system of convict labor in the Penitentiary, (93) 456, (102) 482.

-----Vide Accounts and Papers, 73, 74; Addresses, To His Excellency, 48.

PENSIONS:--Question, relative to arrears of pensions payable to war veterans, their widows, and children; Answer, 684.

-----Vide Civil List; Public Money.

PENSIONERS, MILITARY:--House goes into Committee, to consider the expediency of employing Military Pensioners as a local Police, (216) 1147-1152. Several Resolutions, authorizing the employment of 500 Pensioners, and a grant of land to each after five years service; Reported, and agreed to, (235-236) 1217-1219.

-----Bill to authorize the employment of Military Pensioners and others as a local Police; Presented and read, (236) 1219. Read second time; Committed, (266) 1335. Considered; Reported amended; Motion to postpone receiving Report three months, negatived on division; One of the amendments negatived on division; To be engrossed, (299-300) 1484-1486. Read third time; Ryder, providing that they shall be called out only for the suppression of riots on public works, moved and negatived on division; Bill passed, (303-304) 1501-1502. By the Council, (324) 1562. Royal Assent, (359) 1669. [14 & 15 Vic., c. 77.]

PERCY:--Petition of the Municipality of the Township of Percy, for confirmation of a certain survey of the line between the 1st and 2nd Concessions, (78) 381, (82) 406.

PETERBOROUGH (COUNTY):--Petition of the Municipal Council thereof, for an Act to indemnify certain persons from the legal consequences incident to the quashing of one of their By-laws, (39) 169, (49) 215. Referred to Committee on Standing Orders, (72) 339. Report thereon, (79) 382. Bill presented and read, (92) 438. Read second time; Referred to Committee on Private Bills, (133) 663. Reported, (152) 763. To be engrossed, (155) 781. Passed, (161) 832. Message from Council, desiring the grounds and evidence on which the Bill is founded, (171) 903. Returned from the Council with amendments, (204) 1081. Considered, and agreed to, (211) 1126-1127. Royal Assent, (229) 1189. [14 & 15 Vic., c. 31.]

PETERBOROUGH RECTORY:--Petition of Rev. Robert S.C. Taylor and others, for authority to sell a portion of the rectory endowment of St. John's Church, Peterborough, to pay off the church debt, (39) 169, (49) 215. Referred to Committee on Private Bills, (133) 663-664. Reported, (155) 781. Committed, (155) 781-782. Motion, for amendment to Bill; Withdrawn Motion, 1347. Considered; Reported; Motion, to postpone receiving Report for six months, negatived on division; To be engrossed, (263) 1322-1324. Passed, (271) 1364.

PETITIONS:--Ordered to be printed, (18) 66, (20) 80, (33) 125, (38) 152, (52) 226, (58) 258, (59) 260, (62) 287, (79) 382, (102) 483, (105) 491, (119) 582, (134) 670, (145) 732, (150) 752, (170) 898, (186) 974, (206) 1096, (267) 1353, (305) 1504, (309) 1522, (320) 1554.

-----A Petition having been mislaid, after reference to a Committee, a certified copy considered and reported on by them, (79) 383.

-----Petition for leave to present a Petition for a Private Bill (the time having expired); Leave granted, (171) 903.

-----Petition referred to Committee on Contingencies without first being read:--
Vide Official Salaries.

KEY TO PETITIONS PRESENTED AND READ.

-----Vide below for alternative spellings of certain Petitioners' names.

A.

Agricultural Society of Lower Canada: vide Agricultural Societies.

Allan, James, and others: vide Post Office.

Allen, G.W., and others: vide Post Office.

Allen, Henry (2 Petitions).

Allen, James, and others: vide Clergy Reserves.

Allison, W., and others: vide Justices of the Peace.

Anderson, Rev. G.A., and others: vide Clergy Reserves.

Anderson, J.W., and others: Vide Montreal and Kingston Railway.

Andrews, James Madison.

Arcand, J.O., and others: vide St. Francis, River.

Archambault, Rev. L.M.A., and others: vide Seigniorial Tenure.

Archambeault, Rev. L., and others: vide Seigniorial Tenure.

Arksey, John.

Armond, Joseph S., and others: vide Seigniorial Tenure.

Arnoldi, F.C.T., and others: vide St. Lawrence School of Medicine.

Arnoldi, Mrs. E.: vide Montreal Roman Catholic Orphan Asylum.

Asselin, Joseph A., and others: vide Seigniorial Tenure.

Atkinson, Rev. A.F., and others: vide Clergy Reserves.

Aylen, Peter, and others: vide Roads and Bridges.

B.

Bacon, William.

Bagshaw, A., and others: vide Clergy Reserves.

Ballantyne, John, and others: vide York (County).

Bar of Lower Canada--Montreal Section: vide Bar of Lower Canada; Montreal Court House.

Bar of Lower Canada--Quebec Section: vide Bar of Lower Canada.

Bar of Lower Canada--Three Rivers Section: vide Bar of Lower Canada.

Barron, George, and others: vide Nichol.

Barthe, Joseph Guillaume.

Bartlett, Jonathan, and others: vide York (County).

Bastien, F. DeSales: vide Railroads.

Bathurst and South Sherbrooke, Municipal Council, United Townships of: vide Montreal and Kingston Railway.

Bayham, Municipality, Township of: vide Bayham; Timber.

Bayly, Thomas, and others: vide Clergy Reserves.

Beard, Robert, and others: vide Firemen.

Beaubien, Rev. S.L., and others: vide Education.

Beaudet, G., and others: vide Seigniorial Tenure.

Beaudet, Urbain, and others: vide Seigniorial Tenure.

Beaudin, Joseph, and others: vide Seigniorial Tenure.

Beaudry, Rev. A., and others: vide St. Etienne de la Malbaie.

Beauharnois (County).

Beausoleil, Joseph, and others: vide Education.

Bedard, Thomas: vide Lands.

Bélanger, Rev. Jean B., and others: vide Seigniorial Tenure.

Beliveau, Norbert.

Beliveau, U., and others: vide Roads and Bridges.

Bell, Rev. W., and others: vide Post Office.

Belleau, N.F.: vide Halifax and Quebec Railway.

Belleau, N.F., and others: vide Fisheries; Quebec Turnpike Roads.

Bellechasse, Municipal Council, County of: vide Halifax and Quebec Railway.

Bellefeuille, F.S.R., and others: vide Municipalities (Lower Canada).

Belleville.

Benjamin, George: vide Party Processions.

Bennett, John, and others: vide Clergy Reserves.

Benoit, Charles, and others: vide Militia.

Benson, James, and others: vide Welland Canal Manufacturing Company.

Benson & Company, and others: vide Rivers and Rivulets.

Berezy, William, and others: vide Seigniorial Tenure.

Bettes, Joseph, and others: vide Cramahé and Murray.

Billaudede, Very Rev. P.: vide Churches and Chapels.

Bishop's College, Lennoxville.

Bissonnette, J., and others: vide Huntingdon; Seigniorial Tenure.

Black, John, and others: vide West Gwillimbury.

Black, Rev. John, and others: vide Post Office.

Blakey, Rev. Robert, and others: vide Clergy Reserves (2 Petitions).

Boissonault, Rev. F., and others: vide Roads and Bridges.

Bonsfield, Rev. Thomas, and others: vide Post Office.

Boomer, Rev. J.W., and others: vide Clergy Reserves.

Booth, John G., and S.F. Urquhart: vide Medical Profession.

Borgden, F.E.N., and others: vide Seigniorial Tenure.

Boswell, John C., and others: vide Cobourg and Grafton Road Company.

Boucher, F., and others: vide Maskinongé, Seignior of.

Boucher, Rev. P., and others: vide Roads and Bridges.

Bouchette, Joseph.

Boudreau, C., and others: vide Roads and Bridges.

Boudreau, E., and others: vide Pilots.

Bourret, Rev. L.A., and others: vide Roads and Bridges.

Bowes, John G., and others: vide Kingston and Toronto Railway Company; Toronto and Goderich Railroad Company; Wesleyan Methodists.

Bowman, William, and others: vide Champlain and St. Lawrence Canal.

Boyes, John, and others: vide Amherst Island.

Bradley, Samuel, and others: vide St. Germain.

Branan, John W., and others: vide Clergy Reserves.

Brantford, Town Council, Town of: vide Brantford and Buffalo Railroad Company; Grand River Navigation Company.

Brantford, Municipality, Township of: vide Brantford and Buffalo Railroad Company.

Bréhaut, William, and A.M. Delisle: vide Justice, Administration of.

Brennan, Michael, and others: vide Education.

Bristol, Abel, and others: vide Medical Profession.

British American Fire and Life Assurance Company.

Brock, Municipality, Township of: vide York (County).

Brooke, Thomas.

Brooks, William, and others: vide Sherbrooke Academy.

Brossois, Julien, and others: vide Seigniorial Tenure.

Brown, Rev. Charles, and others: vide Clergy Reserves.

Brown, Christopher, and others: vide Seamen.

Brown, L.G., and others: vide Beauharnois (County).
Brown, Thomas P.S., and others: vide Clergy Reserves.
Bruneau, Joseph, and others: vide Militia.
Bruyère, Sister E., and others: vide Bytown Soeurs de la Charité.
Buchanan, P., and others: vide Beauharnois Canal.
Burgess, Municipality, Township of: vide Montreal and Kingston Railway.
Burnet, D., and others: vide Roads and Bridges.
Burnham, W.S., and others: vide Temperance, Sons of (2 Petitions).
Burnham, Zacheus and Mark: vide Andrews, James Madison.
Burritt, Henry, and others: vide Clergy Reserves.
Busque, Joseph, and others: vide Bridges.
Busteed, Robert: vide Halifax and Quebec Railway.
Bytown, R.C. Bishop of, and others: vide Bytown College; Bytown Hospital.
Bytown and Prescott Railway Company.

C.

Caldwell, Lady S., and others: vide Quebec Infant School; Quebec Male Orphan Asylum.
Cameron, D., and others: vide Whitby and Narrows Road.
Cameron, Donald: vide Thorah (2 Petitions).
Cameron, Kenneth, and others: vide York (County).
Campbell, Alexander.
Campbell, Archibald, and others: vide Quebec Music Hall.
Campbell, Isaac, and others: vide Middlesex.
Campbell, T.E., and S.C. Monk: vide Seigniorial Tenure.
Canniff, Jonas, and others: vide Wesleyan Methodists.
Capreol, Frederick C.: vide Sault Ste. Marie.
Cardinal, André Leroux: vide Parliament House (Montreal).
Carey, Francis V., and others: vide Clergy Reserves.
Carey, John.
Caron, Rev. F., and others: vide Seigniorial Tenure.
Carpenter, James, and others: vide Education.
Carroll, William, and others: vide Clergy Reserves.
Carter, John, and A.T. McCord: vide Post Office.
Cartier, E., and others: vide Seigniorial Tenure.
Cayley, Hon. William: vide Niagara Harbour and Dock Company.
Chabot, Rev. E., and others: vide Roads and Bridges.
Chambers, John McGill: vide Montague and North Elmsley.
Chambly College.
Chambly Village, Municipal Council of: vide Chambly and Granby Road.
Champlain and St. Lawrence Railroad Company (2 Petitions).
Charland, Rev. D., and others: vide Beauharnois Academy.
Charland, Joseph, and others: vide Mutual Fire Insurance Companies.
Charles, J.F., and others: vide Post Office.
Chassé, Pierre, and others: vide Seigniorial Tenure.
Chinguacousey, Municipality, Township of: vide York (County).
Chisholm, William A., and others: vide Foreign Insurances.
Cholet, A.C., and others: vide Seigniorial Tenure.
Christie, Thomas, and others: vide Clergy Reserves.
Cimon, André, and others: vide Education.
Clark, James, and others: vide Education.
Cleveland, C.B., and others: vide Richmond Circuit Court.
Cochu, F.X.
Cook, Rev. John, and others: vide Quebec St. Andrew's Church.
Cook, W.G., and others: vide Charleston Academy.
Coppins, John: Vide Lunatic Asylum, Toronto.

Costen, Thomas: vide Penitentiary, Provincial.
Cotton, James.
Cotton, Robert.
Counter, John, and others: vide Montreal and Kingston Railway; Penitentiary, Provincial.
Coutlée, Sister M.R., and others: vide Churches and Chapels; Montreal General Hospital.
Couture, M., and others: vide Roads and Bridges.
Crawford, George, and others: vide Montreal and Kingston Railway.
Crawford, Thomas, and S.H. Schuyler: vide Bridges.
Crevier, Rev. Joseph, and others: vide Seigniorial Tenure.
Crookshank, Hon. George: vide Wood, Alexander.
Crowe, William, and William Stevenson: vide Wesleyan Methodists (2 Petitions).
Crowland, Municipality, Township of: vide Clergy Reserves.
Currie, A., and others: vide Thames, River.
Currie, David, and others: vide Roads and Bridges.
Cuthbert, C.A., and others: vide Game.

D.

Dartnell, Edward Taylor.
Davidson, Thomas C., and John Harris: vide Clergy Reserves.
DeBellefeuille, Joseph Lefebvre, and others: vide Roads and Bridges.
DeChantal, Sister Ste. Jeanne, and others: vide Montreal L'Hospice de la Maternité.
DeGaspé, P.A., and others: vide St. Jean Port Joli.
Delage, Rev. F.X., and others: vide L'Islet.
Delisle, A.M., and William H. Bréhaut: vide Justice, Administration of.
DeMontenach, Madame M.E., and others: vide Seigniorial Tenure.
DeMontigny, C.T., and others: vide Seigniorial Tenure.
Denroche, Rev. Edward, and others: vide Clergy Reserves (2 Petitions).
Deschamps, Joseph, and others: vide Seigniorial Tenure.
Desjardins, Peter, and others: vide Tilbury West.
Detonnancour, Charles A.C.
DeVillers, Rev. P., and others: vide Roads and Bridges.
Dinning, G.G., and others: vide Montreal and Kingston Railway.
Dion, Charles, and others: vide Education (2 Petitions); Quebec Teachers' Library Association.
Dionne, Hon. A., and others: vide Roads and Bridges.
Dionne, Benjamin, and others: vide Kakouna.
Dixon, Manley, and Edward Handy: vide Middlesex.
Doan, Robert.
Dorion, Rev. J.H., and others: vide Eastern Townships.
Dorion, Pierre, and others: vide Municipalities (Lower Canada); Quebec (City); Roads and Bridges.
Dougall, John, and others: vide Taverns.
Douglas, Alexander, and others: vide Brantford and Buffalo Railroad Company; Fort Erie and Buffalo Suspension Bridge Company.
Draper, Mrs. Augusta, and Rev. H.J. Grassett: vide Toronto Lying-in Hospital.
Drummond, Municipality, Township of: vide Montreal and Kingston Railway.
Dubord, Hypolite: vide Seigniorial Tenure.
Dubreuil, Pierre, and others: vide Mutual Fire Insurance Companies.
Duck, George, and others: vide Dawn and Sombra.
Dugas, A., and others: vide Commissioners' Courts.
Duguay, J., and others: vide Yamaska (County).
Dumoulin, J.E., and V. Guillet: vide Notaries.
Dundas, Mayor, &c., Town of: vide Territorial Divisions (Upper Canada).
Dunwich, Municipality of: vide Middlesex.

Dunwich, Municipality, Township of: vide Middlesex.
Dupont, P.T., and others: vide St. Roch des Aulnets.
Dupuis, Sister: vide Montreal Hôtel-Dieu.
Duranseau, Rev. A., and others: vide Mutual Fire Insurance Companies.
Durnford, Philip, and others: vide Canada Guarantee Company.
Dutremble, Louis, and others: vide Seigniorial Tenure.
Dutton, Joseph T.: vide Education.
Dwyer, Robert, and others: vide York (County).

E.

Eakins, John, and others: vide Militia.
Eastwood, John, and others: vide Temperance, Sons of.
Elmsley, Mrs. Charlotte, and others: vide Toronto Orphans' Home and Female Aid Society.
Emily.
English, Rev. N.F., and others: vide Medical Profession.
Essex and Lambton, Municipal Council, United Counties of: vide Debt, Imprisonment for; Lambton; Municipalities (Upper Canada) (2 Petitions).
Eston, Capt. W.: vide Post Office.
Evans, John, and others: vide Seamen.
Evirs, John.

F.

Farewell, A., and others: vide Medical Profession.
Faribault, George B.: vide Quebec Literary and Historical Society.
Faribault, J.E., and others: vide L'Assomption (Village).
Faucher, Rev. Edouard, and others: vide St. Louis de Lotbinière.
Fearnese, James, and others: vide Three Rivers (Town).
Fell, James W., and others: vide Clergy Reserves.
Ferguson, Robert, and others: vide Clergy Reserves.
Ferguson, Thomas, and others: vide Edwardsburgh.
Ferrie, Colin C.: vide Hamilton and Gore Mechanics' Institute.
Filiatrault, P., and others: vide Montreal and Kingston Railway.
Finley, E., and others: vide Intemperance.
Fisher, Thomas, and others: vide Clergy Reserves.
Fitzgerald, James: vide Settlement of the Province.
Fitzpatrick, John, and others: vide Seigniorial Tenure.
Flamborough West, Municipality, Township of: vide Sydenham Mountain Road Company.
Fleming, Robert, and others: vide Middlesex.
Fletcher, Rev. John, and others: vide Clergy Reserves.
Foard, James, and others: vide York (County).
Forneret, Charles, and others: vide Justice, Administration of.
Fortier, Rev. N.C., and others: vide St. Michel.
Foster, Stephen S., and others: vide Missisquoi and Shefford; Shefford Academy.
Franchère, E.B., and others: vide Champlain and St. Lawrence Railroad.
Fraser, Rev. Donald, and others: vide Clergy Reserves.
Fraserville, Municipality of: vide Rivière du Loup; Roads and Bridges.
Frothingham and Workman, and others: vide Champlain and St. Lawrence Canal.
Gamble, Clarke: vide Niagara Harbour and Dock Company.
Gamble, J.W., and others: vide Clergy Reserves.
Garnaud, Bernard, and others: vide Roads and Bridges.
Garon, Joseph, and others: vide St. Germain.
Garon, Joseph, and Alexis Rivard: vide Municipalities (Lower Canada).
Garon, P., and others: vide Seigniorial Tenure.
Gaudry, Mrs. Marie Antoinette.

Gauvreau, P., and others: vide Halifax and Quebec Railway; Seigniorial Tenure.
Gérin-Lajoie, A.: vide Lajoie, A. Gérin.
Gibson, John.
Gibson, Rev. J., and others: vide Clergy Reserves.
Giguère, Louis, and others: vide Militia.
Gilbert, John.
Gillespie, J., and others: vide St. Maurice, River.
Gillett, S.W.: vide Bridges.
Gilman, Moses, and others: vide Brome Grammar School.
Gilmour, Allan, & Company, and the Quebec Board of Trade: vide Pilots; Timber (2 Petitions).
Gilmour, James, and others: vide Church of England.
Glanford.
Godin, L.J., and others: vide St. Etienne, Fief.
Gorham, Eli, and others: vide Medical Profession; York (County).
Gorrie, A., and J.O.A. Turgeon: vide Terrebonne.
Gorrie, Alexander: vide Terrebonne.
Gould, Ira.
Graham, Rev. George, and others: vide Clergy Reserves.
Graham, Thomas, and others: vide York (County).
Grand River Navigation Company.
Grasett, Rev. H.J., and others: vide Toronto House of Industry.
Grasett, Rev. H.J., and Mrs. Augusta Draper: vide Toronto Lying-in Hospital.
Great Western Railroad Company.
Greene and Sons, and others: vide Trade.
Grégoire, O., and others: vide Quebec (City).
Guelph, Municipality, Township of: vide Clergy Reserves; Taverns.
Guelph, Municipal Council, Town of: vide Clergy Reserves; Toronto and Goderich Railroad.
Guibord, Pierre, and others: vide Seigniorial Tenure.
Guillet, V., and J.E. Dumoulin, vide Notaries.

H.

Haddan, Alexander, and others: vide Post Office.
Haldimand, Municipal Council, County of: vide Cayuga; Disabled and Infirm Persons; Roads and Bridges.
Hale, Jeffery, and others: vide Quebec British and Canadian School.
Halford, William, and others: vide Medical Profession.
Hall, John, and others: vide Huron and St. Lawrence Railroad.
Hallen, Rev. George, and others: vide Clergy Reserves.
Hamel, Michel, and others: vide Timber.
Hamilton, Peter Hunter.
Hamilton, Robert J.: Vide Hamilton Court House Square.
Hamilton, Municipal Council, City of: vide Hamilton Court House Square.
Hamilton, Mayor, &c., of: vide Hamilton, Peter Hunter; Municipalities (Upper Canada).
Handy, Edward, and Manley Dixon: vide Middlesex.
Hann, George, and others: vide Clergy Reserves.
Harding, Rev. Robert, and others: vide Clergy Reserves.
Hare, James D.: vide Sydenham Mountain Road Company.
Harris, John, and Thomas C. Davidson: vide Clergy Reserves.
Harrison, Stuart, and others: vide Clergy Reserves.
Harvey, Louis, and others: vide Coudres, Isle Aux.
Hastings, Municipal Council, County of: vide Assessments; Municipalities (Upper Canada); Roads and Bridges.

Haworth, Thomas, and others: vide Western Assurance Company.
Headland, Robert, and others: vide Game.
Hébert, J., and others: vide Beauharnois (County).
Hébert, Rev. N.T., and others: vide Roads and Bridges.
Hébert, Pierre, and others: vide Yamaska (Seigniory).
Helliwell, M.L., and others: vide Welland Canal Manufacturing Company.
Helliwell, Thomas, and others: vide Toronto General Burying Ground.
Henderson, A., and others: vide Beauharnois (County).
Henderson, John.
Herrick, Jonathan, and others: vide Roads and Bridges.
Hetherington, James, and others: vide York (County).
Hill, Francis M., and others: vide Post Office; Wolfe Island Railway and Canal Company.
Hill, William, and others: vide Medical Profession.
Hinton, Joseph, and others: vide Clergy Reserves.
Holden, John R.: vide Hamilton Court House Square.
Holmes, Dr. A.F., and others: vide Medical Profession.
Holmes, B., and others: vide Seigniorial Tenure.
Hoover, David, and others: vide Fisheries.
Hornor, Thomas, and others: vide Territorial Divisions (Upper Canada).
Howard, Rev. J.B.: vide Education.
Howland, William P., and others: vide Toronto and Goderich Railroad Company.
Huntingdon, Municipal Council, Village of: vide Beauharnois (County); Municipalities (Lower Canada).
Huot, C.P., and others: vide Baie St. Paul, Parish of; Notaries.
Huron, Perth and Bruce, Municipal Council, United Counties of: vide Constables; Municipalities (Upper Canada).

I.

Ingles, Rev. Charles L., and others: vide Clergy Reserves.
Inson, Harriet, and Elizabeth R. Thomas: vide Hamilton Ladies' Benevolent Society.

J.

Jackson, M., and others: vide Clergy Reserves.
Jackson, Thomas, and others: vide Romney.
Jacobs, J.L., and others: vide Clergy Reserves.
Jenkins, Samuel, and others: vide Montreal and Kingston Railway.
Jennings, Rev. John, and others: vide Post Office.
Jessup, James.
John, Catherine, and Margaret Powlus: vide Indians.
Jones, Hon. Robert, and others: vide Roads and Bridges.

K.

Kamouraska, Municipal Council: vide Bridges; Roads and Bridges.
Kane, Paul.
Kearnes, John, and others: vide Montreal and Kingston Railway.
Keefer, Jacob, and others: vide Champlain and St. Lawrence Canal.
Keele, W.C.
Kelly, Rev. Oliver, and others: vide Education.
Kennedy, Angus: vide Militia.
Kent, Municipal Council, County of: vide Lambton; Municipalities (Upper Canada).
Ker, Jacob, and others: vide Caistor.
Kingston Water Works Company.
Kirby, Andrew T., and others: vide Clergy Reserves.
Kirkland, A.: vide Brantford Mechanics' Institute.

Kirkpatrick, Alexander, and others: vide Clergy Reserves.

L.

Lafontaine, Louis G., and others: vide Justice, Administration of.

Lafrenière, Simon, and others: vide Pilots.

Lahaye, Rev. F.T.: vide Joliette College.

Lahaye, Rev. F.T., and others: vide Rigaud, College of.

Laidly, James.

Laing, James R.: vide Agriculture.

Lajoie, A. Gérin.

Lalonde, Joseph, and others: vide Seigniorial Tenure.

Lanark and Renfrew, Municipal Council, United Counties of: vide Municipalities (Upper Canada); Territorial Divisions (Upper Canada).

Langevin, Rev. Jean, and others: vide Bridges.

Lantier, David, and others: vide Seigniorial Tenure.

Lapointe, François, and others: vide Pilots.

LaRue, N., and others: vide Farm, Model.

Larwill, Edwin, and others: vide Colour, Persons of.

Larwill, Edwin, and Henry Reynolds: vide Agricultural Societies.

Lasalle, B., and others: vide Roads and Bridges.

Lassisseraye, C.H. (2 Petitions).

L'Assomption, College of.

Latour, T.D., and others: vide Commissioners' Courts.

Laurie, John, and others: vide Ontario, Simcoe, and Huron Railroad Union Company.

Laurin, Peter M., and others: vide Caledonia.

Leach, Rev. William T., and others: vide Post Office.

Lebel, J.B., and others: vide Roads and Bridges.

Leclerc, Rev. N.A., and others: vide Roads and Bridges.

Lee, Palmer, and others: vide Medical Profession.

Leeds and Grenville, Municipal Council, United Counties of: vide Education; Municipalities (Upper Canada).

Leeming, Rev. Ralph, and others: vide Clergy Reserves.

Lefebvre, Rev. Louis, and others: vide Mutual Fire Insurance Companies.

Lefrançois, Louis C., and others: vide Education.

Legendre, J.B., and others: vide Roads and Bridges.

Leprohon, E.M., and others: vide Roads and Bridges.

Lett, Rev. Stephen, and others: vide Trinity College.

Lewis, John T., and others: vide Clergy Reserves.

Lincoln and Welland, Municipal Council, United Counties of: vide Assessments; Lincoln and Welland (2 Petitions); Roads and Bridges; Taverns.

Loder, Job, and others: vide Clergy Reserves.

Loin, Moses, and others: vide Colour, Persons of.

Long, Richard, and others: vide Clergy Reserves.

Lougee, J., and others: vide Compton Academy.

Lunn, Mrs. Margaret, and others: vide Montreal University Lying-in Hospital.

Lyons, James.

M.

Macaire, Louis Cyrus.

Macalister, Rev. William, and others: vide Post Office.

Maccomber, Gervase, and others: vide Militia.

Macdonell, Allan, and others: vide Pacific Railway.

Macdonell, Angus D., and others: vide Sault Ste. Marie.

Mack, Rev. Frederick, and others: vide Clergy Reserves.

Mackie, Rev. George, and others: vide Quebec National Schools.

MacNab, Sir Allan N., and others: vide Hamilton, Peter Hunter.
Mahoney, Michael, and John Stars: vide Roads and Bridges.
Mailhot, Joseph A., and others: vide Roads and Bridges.
Malahide, Municipality, Township of: vide Middlesex.
Malot, P., and others: vide Seigniorial Tenure.
Mara and Rama, Municipality of: vide York (County).
Marchand, Alexis, and others: vide Juries and Jurors.
Marchand, G., and others: vide St. John, Academy of.
Marks, L., and others: vide Aliens.
Marseau, C., and others: vide Juries and Jurors.
Marsh, Rev. Thomas W., and others: vide Clergy Reserves.
Massicotte, F., and others: vide Education.
Masson, L.M., and others: vide Seigniorial Tenure.
McAleese, Rev. D.M., and others: vide Post Office.
McAlpine, A., and others: vide York (County).
McBean, John, and others: vide Commissioners' Courts.
McCallum, Archibald, and others: vide Medical Profession.
McCarthy, D'Alton.
McCay, W., and others: vide Halton.
McCord, A.T., and John Carter: vide Post Office.
McDonald, Alexander, and others: vide Roads and Bridges.
McDonnell, Alexander, and others: vide Clergy Reserves.
McElroy, Matthew, and others: vide Post Office.
McGeorge, C., and others: vide Dumfries.
McGill, Hon. Peter, and others: vide Education.
McGill, Rev. Robert, and others: vide Education.
McGill College.
McIntosh, John.
McKenzie, John.
McKenzie, John, and others: vide Jesus, River.
McKinnon, Martin: vide Rectories.
McKinnon, N., and others: vide Timber.
McLaren, William P., and others: vide Hamilton Dry Dock Company.
McLean, Hon. Archibald: vide Caledonia.
McLean, John: vide Militia.
McLeod, Martin.
McMicking, Thomas, and others: vide York (County).
McPherson, Alexander, and others: vide York (County).
McRae, Alexander, and others: vide Wesleyan Methodists.
Merizzi, A., and others: vide Seigniorial Tenure.
Merry, Ralph, and others: vide Roads and Bridges.
Mézières, Dame Marie Louise Lepellé, and others: vide Churches and Chapels.
Méthot, E.E., and others: vide Seigniorial Tenure.
Mickle, C.J., and G. Pine: vide Guelph Farmers' and Mechanics' Institute.
Middlesex, Municipal Council, County of: vide Clergy Reserves; Middlesex; Timber.
Mignault, Rev. P.M.: vide Chambly College.
Milburn, John, and others: vide Wesleyan Methodists.
Miller, James, and others: vide Niagara, River.
Misener, Jacob, and others: vide Bridges.
Moffatt, Hon. G., and others: vide Montreal Marine Mutual Insurance Company.
Monk, S.C., and T.E. Campbell: vide Seigniorial Tenure.
Montgomery, John.
Montizambert, Charles M.: vide Quebec Registry Office.
Montmorency, Municipal Council, County of: vide Quebec (City).
Montreal (City).
Montreal, Protestant Bishop of: vide Church of England.

Montreal, Protestant Bishop of, and others: vide Post Office.
Montreal, Protestant Bishop of, and Protestant Bishop of Quebec: vide Rectories.
Montreal, R.C. Bishop of, and others: vide Churches and Chapels; Montreal St.
Patrick's Orphan Asylum; St. Thérèse de Blainville.
Montreal and Lachine Railroad Company: vide Montreal and Kingston Railway.
Montreal and Vermont Junction Railway Company.
Montreal Bank, and other Banks: vide Bills of Exchange.
Montreal Board of Trade: vide Usury Laws.
Montreal Firemen's Benevolent Association.
Montreal General Hospital.
Montreal Horticultural Society.
Montreal Ladies' Benevolent Society.
Montreal Protestant Orphan Asylum.
Moore, Rev. F.E., and others: vide Lauzon, Seignior of.
Moore, John, and others: vide Bridges; Sherbrooke (Town).
Moras, Gaspard, and others: vide Seigniorial Tenure.
Morency, Joseph, and others: vide Pilots.
Morissette, Jean B., and others: vide Seigniorial Tenure.
Morrin, William, and others: vide Montreal and Kingston Railway.
Morris, Rev. E., and others: vide Clergy Reserves.
Mossington, Thomas, and others: vide York (County).
Moulton and Sherbrooke, Municipality, United Townships of: vide Brantford and Buffalo Railroad Company.
Muir, Rev. James C., and others: vide Post Office.
Mulligan, Joseph, and others: vide Clergy Reserves.
Munro, Neil, and others: vide Middlesex.
Munro, P.A.C., and others: vide Montreal School of Medicine (2 Petitions).
Murray, Patrick.
Murray, William.
Murray, Municipality, Township of: vide Cramahé and Murray.

N.

Nadeau, Rev. G., and others: vide Pointe aux Pères (Rimouski).
Neilson, John, and others: vide Clergy Reserves.
Nelson, Municipality, Township of: vide Halton.
Niagara Harbour and Dock Company.
Nichol.
Nichol, Francis, and others: vide Middlesex.
Nicolet Seminary.
Noad, H.J., and others: vide Quebec River Police.
Noel, M., and others: vide Eastern Townships.
Noel, R.S., and others: vide Bridges.
Norfolk.
Northumberland and Durham, Municipal Council, United Counties of: vide Cramahé and Murray.
Northwood, J. and W., and others: vide Millers.

O.

Odell, Loop, and others: vide Huntingdon.
Oliva, N.L., and others: vide Seigniorial Tenure.
Oliver, John.
O'Monaghan, Michael, and others: vide Lands.
Ontario, Simcoe, and Huron Railroad Union Company: vide Toronto and Lake Huron Railroad Company.
Orillia.
Oswald, John, and others: vide Education.

Ottawa, Municipality, County of: vide Roads and Bridges.
Oxford, Municipal Council, County of: vide Clergy Reserves; Oxford, Burford, and Windham.

P.

Pacaud, Louis Edouard.

Page, William E., and others: vide Seigniorial Tenure.

Painchaud, Joseph, and others: vide Medical Profession.

Papino, F., and others: vide Indians.

Pâquet, Jean Baptiste, and others: vide Militia.

Paquet, Pierre, and others: vide Seigniorial Tenure.

Paradis, Edouard, G., and others: vide Roads and Bridges.

Paterson, D., and others: vide Toronto and Lake Huron Railroad Company.

Paterson, D., and S.F. Urquhart: vide Customs.

Paterson, George, and others: vide Carleton Protestant Hospital.

Paterson, Peter, and others: vide Bécancour, Gentilly, and Nicolet Rivers.

Patton, Rev. H., and others: vide Clergy Reserves.

Paxton, Thomas, and others: vide Clergy Reserves.

Pelham, Municipality, Township of: vide Clergy Reserves; Cranberry Marsh; Territorial Divisions (Upper Canada).

Pelletier, Rev. T.B., and others: vide Masson College.

Pepin, J., and others: vide Seigniorial Tenure.

Percy.

Perreault, Rev. F., and others: vide Education.

Perry, Peter, and others: vide Medical Profession.

Perth, Municipality, Town of: vide Montreal and Kingston Railway.

Peterborough, Municipal Council, County of: vide Huron and St. Lawrence Railroad; Peterborough (County).

Peterborough, Town Council, Town of: vide Huron and St. Lawrence Railroad.

Pettit, Andrew, and others: vide Clergy Reserves.

Phaneuf, P.C., and others: vide Seigniorial Tenure.

Phillips, Samuel, and Rev. Henry Wilkes: vide Education.

Phippen, W., and others: vide Post Office.

Pickering, Municipality, Township of: vide York (County).

Pierce, Jason C., and others: vide Champlain and St. Lawrence Railroad.

Pine, G., and C.J. Mickle: vide Guelph Farmers' and Mechanics' Institute.

Plette, Olivier, and others: vide Roads and Bridges.

Poirier, M., and others: vide Justice, Administration of.

Ponsant, F.X., and others: vide Seigniorial Tenure.

Port Burwell Harbour Company.

Port Hope, Town Council of: vide Port Hope Harbour and Wharf Company.

Port Hope Harbour and Wharf Company.

Portneuf, Ignace, and others: vide Indians.

Portneuf, Municipal Council, County of: vide Intemperance; Municipalities (Lower Canada); Notaries; Quebec (City); Roads and Bridges.

Poulin, F.X., and others: vide Education.

Powell, W.D., and Thomas Saunders: vide Justices of the Peace.

Powlus, Margaret, and Catherine John: vide Indians.

Prescott and Russell, Municipal Council, United Counties of: vide Lands.

Primrose, Hon. F.W., and others: vide Quebec Turnpike Roads.

Prince, P., and others: vide Roads and Bridges.

Prince Edward, Municipal Council, County of: vide Education; Municipalities (Upper Canada).

Proulx, Rev. Louis, and others: vide Churches and Chapels.

Provancher, Rev. L., and others: vide Eastern Townships.

Pyke, Mrs.

Q.

Quebec, Archbishop of, and Bishop of Tloa: vide Churches and Chapels.
Quebec, Mayor and Councillors, City of: vide Halifax and Quebec Railway; Quebec (City); Quebec Water Works; St. Lawrence Suspension Bridge.
Quebec, Municipal Council, County of: vide Municipalities (Lower Canada); Quebec Turnpike Roads; Roads and Bridges.
Quebec, Protestant Bishop of: vide Clergy Reserves.
Quebec, Protestant Bishop of, and Bishop of Montreal: vide Rectories.
Quebec Bank.
Quebec Board of Trade: vide Holidays; Timber (2 Petitions).
Quebec Building Society: vide Building Societies.
Quebec Charitable Association of Roman Catholic Ladies.
Quebec, Church Society, Diocese of: vide Church of England.
Quebec School of Medicine.
Queen's College, Kingston (2 Petitions).

R.

Racine, Rev. Antoine, and others: vide Eastern Townships (2 Petitions).
Rae, James, and others: vide Middlesex (2 Petitions).
Ragland, Milton.
Raile, Thomas, and others: vide Municipalities (Upper Canada).
Ramsey, Rev. S.P., and others: vide Clergy Reserves.
Raymond, M., and others: vide Mutual Fire Insurance Companies.
Reynolds, Henry, and Edwin Larwill: vide Agricultural Societies.
Rice, Israel.
Richardson, Prudence.
Richmond, William, and others: vide Medical Profession.
Ridout, Joseph D., and others: vide Toronto and Lake Simcoe Hydraulic Company.
Rimouski, Municipal Council No. 1, County of: vide Municipalities (Lower Canada); Rimouski; Roads and Bridges.
Ritchie, John, and others: vide Post Office.
Rivard, Alexis, and Joseph Garon: vide Municipalities (Lower Canada).
Roaf, Rev. John, and others: vide Toronto Temperance Reformation Society.
Robbins, Cairn, and George Samuel Wilkes: vide Wilkes, Mrs..
Robillard, P.A., and others: vide Beauharnois (County).
Robins, William, and others: vide Mechanics.
Robinson, Francis, and others: vide Middlesex.
Robitaille, Edouard, and others: vide Quebec Turnpike Roads.
Roe, William, and others: vide West Gwillimbury.
Rogers, Rev. R., and others: vide Post Office.
Rolph, George: vide Sydenham Mountain Road Company.
Rolph, John, and others: vide Toronto School of Medicine.
Rolph, R., and others: vide Clergy Reserves.
Romain, C.E., and W. Thompson: vide York (County).
Ross, A., and others: vide Roads and Bridges.
Ross, Roderick: vide Carleton Protestant Hospital.
Ross, Simon, and others: vide Roads and Bridges.
Rowed, Henry, and others: vide Clergy Reserves.
Roy, Isaac, and others: vide Roads and Bridges.
Roy, Théophile, and others: vide Athanase and Mount Johnson Road Company.
Royer, F., and others: vide St. Maurice, River.
Russell, P.P., and others: vide Champlain and St. Lawrence Canal; Mutual Fire Insurance Companies.

Russell, Thomas L., and others: vide Temperance, Sons of.
Ryckman, Samuel W., and others: vide Canada West Farmers' Mutual and Stock Insurance Company.

S.

St. Germain, Rev. J.B.: vide St. Laurent, L'Academie Industrielle de.
St. Hyacinthe, Municipal Council, County of: vide Seigniorial Tenure.
St. Hyacinthe Seminary.
St. Ours.
St. Viateur, Corporation des Clercs de.
Ste. Elizabeth, Sister, and others: vide Churches and Chapels.
Ste. Jeanne de Chantal, Sister, and others: vide Montreal L'Hospice de la Maternité.
Saunders, Thomas, and W.D. Powell: vide Justices of the Peace.
Schuyler, S.H., and Thomas Crawford: vide Bridges.
Scobie, Alexander, and others: vide Indians.
Scott, Municipality, Township of: vide York (County).
Sewell, William Smith, and others: vide Justice, Administration of.
Shefford, Municipal Council, County of: vide Intemperance.
Shepherd, J.P., and others: vide Montreal Provident and Savings Bank.
Sherwood, Mrs. Mary G., and others: vide Toronto Orphans' Home and Female Aid Society.
Sillington, Henry, and others: vide Clergy Reserves.
Simcoe, Municipal Council, County of: vide Assessments; Clergy Reserves; Simcoe (County); West Gwillimbury (2 Petitions).
Sirois, Rev. Z., and others: vide Roads and Bridges.
Sloane, George, and others: vide Medical Profession.
Smart, William, and others: vide Post Office.
Smith, Henry: vide Penitentiary, Provincial.
Smith, Ichabod, and others: vide Stanstead Academy.
Smith, John D., and others: vide Clergy Reserves.
Smith, William, and S.A. Stevens: vide Education.
Smyth, Catherine: vide Pyke, Mrs..
Snider, Elias, and others: vide Territorial Divisions (Upper Canada).
Somerville, R.B., and others: vide Huntingdon Academy.
Southwold, Municipality, Township of: vide Middlesex.
Spalding, A.F., and others: vide Post Office.
Sparrow, Charles, and others: vide Bytown House of Refuge.
Squire, Rev. William, and others: vide Post Office.
Stark, John, and others: vide Education.
Stars, John, and Michael Mahoney: vide Roads and Bridges.
Stevens, Adam C., Alexander Stevens, and Joseph Stevens: vide Stevens, Aaron.
Stevens, S.A., and William Smith: vide Education.
Stevenson, David.
Stevenson, William and William Crowe: vide Wesleyan Methodists.
Stormont, Dundas, and Glengary, Municipal Council, United Counties of: vide Municipalities (Upper Canada).
Stroud, Robert, and others: vide Clergy Reserves.
Stuart, Archdeacon, and others: vide Education.
Stuart, Charles, and others: vide Clergy Reserves.

T.

Taché, J.C., and others: vide Brulée, Isle.
Tanguay, Rev. Cyprien, and others: vide Roads and Bridges.
Taschereau, L.O., and others: vide Seigniorial Tenure.
Taylor, Miss Eliza: vide Quebec Protestant Female Orphan Asylum.
Taylor, Rev. Robert S.C., and others: vide Peterborough Rectory.

Têtu, Charles, and others: vide Kamouraska.
 Tett, Benjamin, and others: vide Clergy Reserves.
 Thomas, D., and others: vide Roads and Bridges.
 Thomas, Elizabeth R., and Harriet Inson: vide Hamilton Ladies' Benevolent Society.
Thompson, Andrew.
 Thompson, George, and others: vide York (County).
 Thompson, W., and C.E. Romain: vide York (County).
Thornton, David.
 Tiffany, George S., and others: vide Burlington Ladies' Academy.
 Tloa, Bishop of, and Archbishop of Quebec: vide Churches and Chapels.
Tooth, George.
 Toronto, Bishop of: vide Clergy Reserves; Education.
 Toronto, Mayor, &c., City of: vide Municipalities (Upper Canada); Toronto and Goderich Railroad Company.
 Toronto Board of Trade: vide Division Courts; Trade; Usury Laws.
 Tourangeau, G., and others: vide Quebec Fire Loans.
 Townsend, Rev. M., and others: vide Clarenceville Academy.
 Tranchemontagne, F.R., and others: vide Berthier Academy.
 Treadwell, Charles P.: vide Agriculture; Education.
 Tremayne, Rev. Francis, and others: vide Clergy Reserves (2 Petitions).
 Tremblay, Baptiste, and others: vide Coudres, Isle Aux.
 Tremblay, Louis, and others: vide Roads and Bridges.
 Trigge, Henry Wulff, and others: vide Bécancour, Gentilly, and Nicolet Rivers.
 Trigge, Thomas, and Henry Wulff: vide Seigniorial Tenure.
 Trudel, C., and others: vide Juries and Jurors.
 Trudel, David, and others: vide Seigniorial Tenure.
Twynam, William E.
 Turgeon, J.O.A., and A. Gorrie: vide Terrebonne.
 Tyrwhitt, Septimus, and others: vide West Gwillimbury.

U.

Urquhart, S.F., and John G. Booth: vide Medical Profession.
 Urquhart, S.F., and D. Paterson: vide Customs.
 Uxbridge, Municipality, Township of: vide York (County).

V.

Viger, Hon. Louis Michel, and others: vide Seigniorial Tenure.
 Vincent, Thomas, and others: vide Middlesex.

W.

Waddel, John W., and others: vide Clergy Reserves.
 Wadsworth, James, and others: vide Ottawa, River.
 Wainfleet, Municipality, Township of: vide Brantford and Buffalo Railroad Company; Cranberry Marsh.
Ward, Thomas.
 Wardrobe, Thomas, and others: vide Post Office.
 Warran, Benjamin, and others: vide Clergy Reserves.
 Waterloo, Municipal Council, County of: vide Clergy Reserves; Flour; Waterloo (County).
Waterous, C.H.
 Watkins, John, and others: vide Kingston.
 Watson, John, and others: vide York (County).
 Wentworth and Halton, Municipal Council, United Counties of: vide Hamilton Court House Square.
 Whitby, Municipality, Township of: vide York (County).

Whittemore, Rutherford, and Company, and others: vide Division Counts.
Widmer, Hon. Christopher, and others: vide York Road Allowance.
Wilcox, Leonard.
Wilkes, George Samuel, and Cairra Robbins: vide Wilkes, Mrs.
Wilkes, Rev. Henry, and Samuel Phillips: vide Education.
Wilkes, Rev. Henry, and others: vide Post Office.
Wilkins, Mrs. Maria: vide Wilkes, Mrs.
Willoughby, Municipality, Township of: vide Clergy Reserves.
Wilson, William.
Winder, William: vide Parliament House.
Wood, Rev. Enoch, and others: vide Wesleyan Methodists.
Wood, Rev. S.S., and others: vide Three Rivers Academy.
Woodhouse, Municipality of: vide Thompson, Andrew.
Woodstock and Lake Erie Railroad and Harbour Company.
Workman and Frothingham, and others: vide Champlain and St. Lawrence Canal.
Workman, Aaron, and others: vide Roads and Bridges.
Worrell, Rev. J.B., and others: vide Clergy Reserves.

Y.

Yarmouth, Municipality, Township of: vide Middlesex.
York, Municipal Council, County of: vide Assessments; Education; Municipalities
(Upper Canada); Road Companies; Taverns; York (County).
York, Municipality, Township of: vide Division Courts; York Road Allowance.
Young, Benjamin, and others: vide Clergy Reserves.
Young, John, and others: vide Montreal and Kingston Railway.

-----Petitions presented but not read:--Gwynn, John W., (292) 1432.--Lindsay, B.,
vide Official Salaries.--MacKintosh, Alexander, (181) 947.

-----Alternative spellings of certain Petitioners' names:

Bayly, Thomas, or Bayley, Thomas.
Bissonnette, J. or Bissonette, J.
Campbell, Isaac, or Campbell, J.
Carey, Francis V., or Cary, Francis V.
Carey, John, or Cary, John.
Crookshank, Hon. George, or Cruikshank, Hon. George.
Ferguson, Thomas, or Fergusson, T., or Ferguson, F.
Grasett, Rev. H.J., or Grassett, Rev. H.J.
Laurin, Peter M., or Lawrin, Peter M.
MacAlister, Rev. William, or McAlister, Rev. William.
McCarthy, D'Alton, or McCarthy, Dalton.
Mézières, Dame Marie Louise Lepellé, or Mézières, Dame Marie Louis Lepellé.
Morissette, Jean B., or Morisette, Jean B.
Ritchie, John, or Richie, John.
Robbins, Cairra, or Robbin, Cairra.
Waddel, John W., or Waddle, John W.
Wadsworth, James, or Wadsworth, F.
Warran, Benjamin, or Warren, Benjamin.

PHYSIC AND SURGERY:--Vide Medical Profession.

PILOTS:--Petition of J. Morency and others, for an Act to incorporate the Pilots
for the Port of Quebec, (19) 78, (33) 124. Referred, (37) 152. Petition of
F. Lapointe and others, against, referred, (41) 172. Report, (155) 780.
--Bill presented and read, (86) 419. Motion, to postpone second reading
three months, negatived on division; Read second time; Referred, (228)
1185-1187. Reported; Committed, (289) 1424.
-----Petitions against:--Of F. Lapointe and others, (32) 123, (37) 152. Referred

to Committee on above Petition, (41) 172. Of Allan Gilmour & Company, and others, (239) 1237, (248) 1272.

-----Petition of Simon Lafrenière and others, Pilots between Quebec and Montreal, for repeal of 15th section of Montreal Trinity House Act, so as to enable certain persons to obtain licenses as Pilots, (137) 694, (139) 704.

-----Petition of E. Boudreau and others, Pilots, against the above, (181) 947, (189) 993.

-----Bill to correct an error in the English version of the Act exempting masters of Lower Canadian vessels from taking Pilots in certain cases; Presented and read, (237) 1231. Read second time; To be engrossed, (322) 1559. Passed, (326) 1571. By the Council, (334) 1602. Royal Assent, (360) 1670. [14 & 15 Vic., c. 101.]

PINE LOGS:--Vide Timber.

POINTE AUX PERES (RIMOUSKI):--Petition of Rev. G. Nadeau and others, for construction of a wharf thereat, (68) 315, (75) 357.

POLICE:--Vide Accounts and Papers, 75; Addresses, To His Excellency, 51; Montreal River Police; Pensioners; Quebec River Police.

POOR:--Vide Disabled and Infirm Persons; Lincoln and Welland.

PORT BURWELL HARBOUR COMPANY:--Petition of the President and Directors, for amendments to their Act of Incorporation, (48) 214, (57) 256. Referred to Committee on Standing Orders, (59) 260. Report thereon, (62) 287-288. Bill presented and read, (65) 299. Motion, that the Committee on Private Bills be dispensed with as far as relates to the Bill; Withdrawn Motion, 431. Motion, to suspend Rules relative to fee and expense of printing, negatived, (105) 493. Order for second reading, (127) 625. Read second time; Referred, (173) 916. Reported; Committed, (203) 1079. Considered, (270) 1362. Reported amended; One of the amendments amended; Bill to be engrossed, (282-283) 1400-1402. Passed, (285-286) 1415. Returned from the Council, with amendments, (301) 1488. Considered, and agreed to, (304) 1503. Royal Assent, (361) 1674. [14 & 15 Vic., c. 157.]

PORT HOPE HARBOUR AND WHARF COMPANY:--Petition of, for an increase of their capital stock, (19) 78, (33) 125. Referred to Committee on Standing Orders, (46) 198. Report thereon, (50) 219. Bill presented and read, (59) 262. Order for second reading, (127) 624-625, (173) 916. Motion, to postpone second reading six months, negatived; Read second time; Referred to Committee on Private Bills, (214) 1132, 1135. Reported, (279) 1390. Committed for "this day three months," (294) 1437-1438.

-----Petition of the Town Council of Port Hope, against this or any other Bill that recognizes the existence of the Company, (60) 284, (71) 336.

-----Vide Accounts and Papers, 76.

POST OFFICE:--Bill to diminish Sunday labor in the Post Office Department; Presented and read, (112) 540. Question for second reading postponed six months, (238) 1233-1235.

-----Bill to exempt proprietors of newspapers from postage in certain cases; Presented and read, (153) 764. Question for second reading postponed six months, (262) 1321-1322.

-----Bill to amend the Post Office Act; From the Council; Read first time, (155) 781. Read second time; Committed, (216) 1147. Considered, (301) 1489-1492. Reported amended; To be read a third time, (331) 1592-1593. Motion to

recommit Bill, to add a clause declaring that vehicles carrying the mail shall not be exempt from toll on the Roads of private Companies or Municipal Corporations, negatived on division; Bill passed, as amended, (338) 1614. Amendments agreed to by the Council, (345) 1634. Royal Assent, (359) 1668. [14 & 15 Vic., c. 71.]

-----Petitions for the abolition of labor on the Lord's Day in the Post Office Department:--Of Rev. William Squire and others, Wesleyan Ministers, (39) 169, (49) 215. Of Rev. W. Bell and others, of Perth; Of James Allan and others, of Perth; Of G.W. Allen and others, of Gananoque, (60) 284, (71) 336. Of Rev. John Black and others, of Napanee; Of Matthew McElroy and others, of Kingston and Portland; Of John Richie and others, of Storrington; Of Rev. D.M. McAleese and others, of Ramsay, (81) 404, (94) 457. Of Rev. William MacAlister and others, of Port Sarnia, (93) 456, (102) 482. Of William Smart and others, of Yonge and Elizabethtown (including other branches of the public service), (103) 488, (110) 536. Of Alexander Haddan and others, of St. John's Church, Quebec, (118) 580, (120) 597. Of Rev. William T. Leach and others, of St. George's Chapel, Montreal, (120) 597, (130) 657. Of Francis M. Hill and others, of Kingston; Of Captain W. Eston, R.A., on behalf of inhabitants of Kingston, (128) 636, (134) 669. Of Rev. Thomas Bonsfield and others, of Picton, (143) 725, (152) 763. Of A.T. McCord and J. Carter, for Canada Baptist Union, (158) 808, (162-163) 845. Of Rev. R. Rogers and others, of Kingston; Of J.F. Charles and others, of Wolfe Island; Of W. Phippen and others, of Portsmouth, (165) 878, (173) 915. Of Rev. Henry Wilkes and others, of Montreal; Of the Lord Bishop of Montreal and Episcopal Ministers and Church Wardens in Montreal, (198) 1046, (206) 1096. Of A.F. Spalding and others, Baptists, of Montreal, (214) 1143, (230) 1193. Of Thomas Wardrope and others, of Bytown, (244) 1257, (251) 1293. Of Rev. James C. Muir and others, of Georgetown, (256) 1307, (266) 1352. Of Rev. John Jennings and others, Presbyterians of Toronto, (279) 1390, (288) 1424. -----Vide Accounts and Papers, 77, 78; Addresses, To His Excellency, 3, 45.

PREVIOUS QUESTION:--Motion superseded by Previous Question, on the casting vote of the Speaker, (141) 712.

-----Motion, that the House go into Committee, to consider of rescinding the 41st Rule (relative to the "Previous Question"); Previous Question moved and carried, (163-164) 848-850. House goes into Committee; Resolution, that the expediency of rescinding the said Rule in whole or in part, be referred to the Committee on Privileges, reported and agreed to, (164) 850. Report, recommending an alteration of the Rule, (190-191) 994-996. House goes into Committee, to consider of amending the Rule, accordingly; Resolution reported and agreed to, (201) 1056-1057.--Resolution, amending the 41st Rule (relative to the "Previous Question") by striking out the words "and debate," (201) 1057.

-----Previous Question moved, and carried, (164) 849.--And negatived on division, (209) 1113-1114.

PRIMOGENITURE, RIGHT OF:--Bill to abolish the same in the succession to real estate in Upper Canada, and to provide for the division thereof amongst the relatives of the last proprietor; Presented and read, (69) 318. Motion, for second reading; Amendment, to add "this day six months," negatived on division; Bill read, and committed, (162-163) 832-839. Considered, (172) 903-905. Reported; To be engrossed, (189) 980. Passed, (196) 1035-1036. By the Council, (216) 1146. Royal Assent, (229) 1190. [14 & 15 Vic., c. 6.]

-----Motion, for a return of all Petitions received by the Government on the subject of a repeal of Primogeniture; Withdrawn Motion, 309.

PRINCE EDWARD (PROVINCE):--Vide Accounts and Papers, 79; Governor General, Messages from His Excellency, 6.

PRINTING:--STANDING COMMITTEE on Printing appointed, (18) 66, (22) 93. Instruction, to inquire into the best mode of distributing copies of the Journals for the information of the public, (35) 133. Instruction, to inquire into the cause of the delay in printing and distributing the Statutes, and the expediency of altering the present form thereof, and the distribution, (77) 361. Message sent to the Council, desiring leave for their Clerk and Clerk Assistant to be examined before the Committee touching the printing and distribution of the Statutes, (91) 436. Leave granted, (95) 459. Instruction, to consider and report whether any improvement can be made in the printing and engrossing of Bills, (113) 540. Instruction, to inquire into the charge, by the Queen's Printer, for printing and binding the Trade and Navigation Returns for 1850,--also, into all printing done for the House, or the Government, and the practicability of obtaining the latter at a less cost, (251) 1293. FIRST REPORT of Committee (on the 1st Instruction); Printed; Committed, (41) 172-174. Considered; Progress reported; Referred back to Select Committee, for reconsideration, (56) 244-246. SECOND REPORT (reconsideration of 1st Report), (58) 259-260. Referred to Committee of the whole on 1st Report, (59) 260; Consideration thereof postponed, (89) 424, (124) 619. Considered; Resolution reported, for printing an additional number of the Journals and furnishing each Municipal Council with a copy thereof; Agreed to, (142) 716-719. THIRD REPORT (on tenders for Binding); Concurred in, (71-72) 337. FOURTH REPORT printed; Committed, (121) 599. Message relative to ingrossing Bills, also referred, (144) 729. Considered; A series of Resolutions reported and agreed to (vide Statutes, Provincial); To be communicated to the Council, (254) 1299-1300. FIFTH REPORT printed; (280) 1391. SIXTH REPORT (relative to the curtailment of certain documents for printing in the Appendix); 5th and 6th Reports concurred in, (352-353) 1649-1650.

-----Resolution, That all documents presented to the House be referred to the Committee on Printing, that they may report on the expediency of printing the same in the Appendix,--with an estimate of the cost thereof, (59) 261.

-----Documents ordered to be printed, (18) 66, (20) 80, 81, (31) 118, (33) 125, (38) 152, (41) 174, (52) 226, 226-227, (55) 241, (58) 258, (59) 260, (62) 287, (64) 292, (79) 382, (80) 384, (85) 415, (92) 439, (94) 458, (102) 483, (105) 491, (112) 539, (116) 558, (117) 572, (119) 582, (121) 599, (123) 602, (134) 670, (137) 694, 695, (138) 698, (139) 705, (144) 727, 729, (145) 732, (150) 752, (152) 756, (160) 827, (168) 886-887, 887, (171) 899, 900, (176-177) 929-930, (177) 931, (177-178) 932, (180-181) 942-943, (181-182) 948, (186) 973, 974, (191) 996, 997, (197) 1042, (198) 1042, (206) 1096, (208) 1109, (209) 1115, (214) 1134, (227) 1184, (228) 1187, (231) 1195, (245) 1258, (250) 1277, (259) 1311, (264) 1331, (267) 1353, (286) 1416, (291) 1430, (294) 1437, (299) 1483, (302) 1499, (303) 1501, (305) 1504, (309) 1522, (313) 1530, (318) 1545, (320) 1554, (325) 1566, (333) 1599, (349) 1642, (358) 1666.

-----Under direction (with respect to form &c.,) of the Printing Committee, (58) 259, (144) 727, (145) 732, (208) 1109, (227) 1184.

-----Leave granted to a Committee to have their proceedings printed from time to time, (92) 439.

-----Certain papers to be printed in octavo form, (144) 727, 729, (145) 732. So much as relates to the octavo form, rescinded, (150) 752.

-----The Education Report for Upper Canada to be printed under the superintendence of the Printing Committee, with a sufficient number of extra copies to furnish one to each Municipal Council, Local Superintendent, Board of Public Instruction, and School Corporation, in Upper Canada, (208) 1109.

-----Order for printing a Petition rescinded, (320) 1554. Order rescinding the same rescinded, (329) 1590.

-----Motion, to refer the Report of the Commissioners on the affairs of the Montreal Provident and Savings Bank, to the Printing Committee, to report their opinion as to the expediency, and the expense, of printing the same (in amendment to a motion for printing it), negatived on division, (161) 830-831.

-----Vide Supply.

PRIVILEGES:--STANDING COMMITTEE on Privileges and Elections appointed, (18) 66, (22) 93. Resolution, for Committee to report on the expediency of rescinding, in whole or in part, the 41st Rule (relative to the "Previous Question"), referred, (164) 850. First Report (on the reference); Printed, (190-191) 994-996. Vide Previous Question.

-----Complaint by Hon. Mr. Boulton (Member for Norfolk) of an assault having been made upon him by Mr. Watts (Member for Drummond) in one of the Corridors of the House; Mr. Watts heard in answer; Complaint and answer to be entered on the Journals; Motion, that Mr. Watts is guilty of a breach of the privileges of the House; Amendment, that his statement in answer be held to be a sufficient explanation and apology, negatived on division; Main motion agreed to, (192-193) 1008-1009. Motion, that he be committed to the custody of the Sergeant-at-Arms; Amendment, that Mr. Watts having expressed himself sorry for the assault, it be received by the House as a sufficient apology; Amendment to the amendment, that Mr. Watts' apology being full and sufficient, it is not expedient to proceed further, negatived on division; First amendment carried, and main motion as amended agreed to, (193) 1010-1011.

PROBATE AND SURROGATE COURT (UPPER CANADA):--Bill to regulate the proceedings and jurisdiction of the said Court; Presented and read, (56) 244. Order for second reading, (90) 429. Read second time; Referred to Select Committee on the Bill for administration of the estates of deceased persons, (126) 623.

PROMISSORY NOTES:--Vide Bills of Exchange.

PROROGATION:--Hon. Mr. Hincks (a Member of the Executive Council) announces the intention of His Excellency to prorogue Parliament on the 10th of August, 1012.

-----Mr. Speaker communicates a letter from His Excellency's Secretary, announcing that the Legislature will be prorogued on the 30th instant, (333) 1599.

-----His Excellency prorogues the Legislature, (362) 1677.

PUBLIC ACCOUNTS:--Motion, to refer the Accounts for 1850 to a Select Committee (naming five Members); Amendment, that the Members be named by the House, negatived on division; Another amendment carried; Main motion, as amended, agreed to and Committee appointed, (80-81) 387-393. First Report, (121-123) 599-602. Second Report, (349) 1642.

-----Vide Accounts and Papers, 80.

PUBLIC DEBT:--Notice of Motion, relative to the public debt of the Province, 74.

-----Vide Accounts and Papers, 38.

PUBLIC DEPARTMENTS:--Motion (in amendment to the Resolutions for reductions in the Civil List), That a searching Enquiry into the administration and cost of management of the various Departments of the Public Service, is imperatively called for, negatived on division, (314) 1534.

-----Motion, That such an Enquiry, to be productive of good, must be extended to

the system as well as the details of management and expenditure &c., negatived on division, (314-315) 1535.

-----Vide Civil List.

PUBLIC MONEY:--Bill to prohibit the expenditure of public moneys for purposes not authorized by law, and to limit the granting of Pensions; Notice of Motion, 9. Presented and read, (18-19) 71-72. Question for second reading postponed six months, (70) 324-330.

-----Question, relative to securities given, as required by law, by functionaries responsible for public moneys; Answer, 249.

-----Vide Accounts and Papers, 81; Addresses, To His Excellency, 8, 17; Supply.

PUBLIC OFFICERS:--Bill to require certain Provincial Officers to make annual Reports to Parliament; Presented and read, (140) 707. Question for second reading postponed six months, (255) 1302.

-----Question, relative to indemnification of Public Officers; Answer, 476.

-----Vide Civil List; Justice, Administration of; Official Salaries.

PUBLIC WORKS:--Motion, That a portion of the Report of Mr. Keefer to the Commissioners of Public Works be printed for the use of Members; Withdrawn Motion, 397-398.

-----Question, relative to the appropriation of money for the purposes of constructing roads, bridges and schools in Lower Canada; Answer, 476.

-----Bill to amend the laws relating to Public Works; From the Council; Read first time, (146) 735. Order for second reading, (160) 827. Read second time, (218) 1155. Passed, (227-228) 1184. Royal Assent, (359) 1667. [14 & 15 Vic., c. 53.]

-----Bill to continue the Act for the prevention of riots and outrages on Public Works; and to extend the same to the works of private Companies; Presented and read, (289) 1424. Read second time; Committed; Resolution (vide below) providing for expenses attending the same, also referred; Considered; Reported; To be engrossed, (317) 1540. Passed, (324) 1563. By the Council, (342) 1625. Royal Assent, (359) 1669. [14 & 15 Vic., c. 76.]

-----House goes into Committee, to consider of providing for the preservation of the peace in the neighbourhood of railways, canals, &c., undertaken by private Corporations, (His Excellency's recommendation being signified), (305) 1504-1505. Resolution, providing for expenses attending the same out of the Consolidated Revenue, to be repaid by such Corporations, reported and agreed to, (313) 1531. Referred to Committee of the whole on the Bill, (317) 1540. Vide above.

-----Bill to remove doubts as to Municipal Corporations acquiring Public Works without the limits of such Municipalities; Presented and read, (43) 183. Order for second reading, (57) 247-248. Read second time; Committed, (89) 424. Considered, (196-197) 1038. Reported; Recommitted, and further considered, (211) 1127-1128. Reported; To be engrossed, (228) 1185. Passed, (231-232) 1196. Returned from the Council, with amendments, (291) 1429. Considered, and agreed to, (296) 1447. Royal Assent, (359) 1667. [14 & 15 Vic., c. 57.]

-----Bill to enable Municipal Corporations in Upper Canada to contract debts to the Crown in the purchase of Public Works, without imposing a tax therefor; From the Council; Read first time, (327) 1573. Read second time; Printing dispensed with; To be read a third time, (333) 1597. Passed, (345) 1634. Royal Assent, (360) 1672. [14 & 15 Vic., c. 124.]

-----Vide Accounts and Papers, 82-85; Addresses, To His Excellency, 2, 9, 58; Road Companies; Supply.

PYKE, MRS.:--Petition of Mrs. Catherine Smyth for a pension, as the widow of the late Judge Pyke, of Montreal, (39) 169, (49) 215.

Q.

QUEBEC (CITY):--Petition of the Mayor and Councillors of the City of Quebec, for certain powers to enable them to recover arrears of taxes, (60) 284, (71) 335. Referred to Committee on Standing Orders, (76) 358. Report thereon (special), that Notice has not been given, (79) 382. Rule requiring Notice suspended, (95) 461.

-----Bill further to amend the Ordinances incorporating Quebec; Presented and read, (103) 485. Read second time; Referred, (151) 755. Members added, (163) 846. Petition of Pierre Dorion and others (vide below) also referred, (152) 763. Bill reported; To be engrossed, (189) 994. Passed, (194) 1020. By the Council, (232) 1196. Royal Assent, (360) 1672. [14 & 15 Vic., c. 130.]

-----Petitions for repeal of so much of the Act of Incorporation as empowers the Corporation to impose a tax on produce carted to market:--Of Pierre Dorion and others, (60) 284, (71) 336. Of O. Grégoire and others, (68) 315, (75) 357. Of Municipal Council of 2nd Division, County of Montmorency, (75) 357, (82) 405. Of Municipal Council, County of Portneuf, (101) 480, (104) 490. Petition of Dorion referred to Committee on Bill to amend Ordinances incorporating Quebec, (152) 763.

QUEBEC, EXPLORATION IN REAR OF:--Motion, to refer the request of the inhabitants of Quebec City, relative to a sum of money for exploration along the St. Lawrence, to the Standing Committee on Railroads and Telegraph Lines; Withdrawn Motion, 574.

-----Vide Addresses, To His Excellency, 18.

QUEBEC BANK:--Petition of President and Directors, for an Act to decrease the number of their Directors, (107) 518, (115) 557. Referred to Committee on Standing Orders, (116) 559. Report thereon, (119) 581. Bill presented and read, (135) 673. Read second time; To be engrossed, (173) 919. Passed, (178) 933. Returned from the Council, with amendments, (232) 1196-1197. Considered, and agreed to, (234) 1213-1214. Royal Assent, (361) 1674. [14 & 15 Vic., c. 156.]

-----Vide Accounts and Papers, 11.

QUEBEC BRITISH AND CANADIAN SCHOOL SOCIETY:--Petition of Jeffery Hale and others, for aid, (154) 780, (158) 808.

QUEBEC CHARITABLE ASSOCIATION OF ROMAN CATHOLIC LADIES:--Petition of the Directresses thereof, for aid, (107) 518, (115) 557.

QUEBEC DIOCESE:--Vide Church of England.

QUEBEC FIRE LOANS:--Petition of G. Tourangeau and others, for amendments to the Acts relating to the said loans, (32) 123, (37) 152.

-----House goes into Committee, to consider of amending the Act 9 Vic., c. 62, authorizing the issuing of debentures for the relief of the sufferers by the fires at Quebec, (59) 262-263. Resolution reported and agreed to, (67) 305.

-----Bill to amend the Act 9 Vic., c. 62, relative to the said loans; Presented and read, (67) 305. Read second time; To be engrossed, (170) 892. Passed, (171-172) 903. By the Council, (195) 1021. Royal Assent, (229) 1188. [14 & 15 Vic., c. 22.]

-----Vide Accounts and Papers, 86; Addresses, To His Excellency, 25.

QUEBEC FORWARDING COMPANY:--Motion, to appoint a Select Committee, to inquire into the management of the said Company, negatived, (46) 200.

QUEBEC INFANT SCHOOL:--Petition of Lady S. Caldwell and others, for the usual aid, (36) 150, (40) 171.

QUEBEC LITERARY AND HISTORICAL SOCIETY:--Petition of George B. Faribault, Esq., for the usual aid thereto, (57) 256, (61) 285.

QUEBEC MALE ORPHAN ASYLUM:--Petition of Lady S. Caldwell and others, for aid, (60) 284, (71) 335.

QUEBEC MARINE AND EMIGRANT HOSPITAL:--Vide Accounts and Papers, 87; Addresses, To His Excellency, 39.

QUEBEC MARKET PLACE:--Vide Accounts and Papers, 88.

QUEBEC MUSIC HALL ASSOCIATION:--Petition of A. Campbell and others, for an Act of Incorporation, (118) 580, (120) 598. Referred to Committee on Standing Orders, (123) 603. Report thereon, (135) 670. Bill presented and read, (137) 695. Read second time; Referred to Committee on Private Bills, (174) 920. Reported; Committed, (198) 1046-1047. Considered, (270) 1362. Reported; To be engrossed, (282) 1400. Passed, (285) 1414-1415. By the Council, (295) 1438. Royal Assent, (361) 1674. [14 & 15 Vic., c. 161.]

QUEBEC NATIONAL SCHOOLS:--Petition of Rev. Dr. George Mackie and others, for increased aid thereto, (81) 405, (94) 458.

QUEBEC PROTESTANT FEMALE ORPHAN ASYLUM:--Petition of Miss Eliza Taylor, for aid thereto, (81) 405, (94) 457.

QUEBEC PROVIDENT AND SAVINGS BANK:--Vide Accounts and Papers, 8.

QUEBEC REGISTRY OFFICE:--Petition of Charles N. Montizambert, Registrar for the County of Quebec, for the establishment of his office in a place of permanent safety, (39) 169, (49) 216.

QUEBEC RIVER POLICE:--Question, relative to the maintenance of peace on the St. Lawrence River in the vicinity of Quebec; Answer, 450.

-----House goes into Committee to consider of establishing a River Police at Quebec and Montreal, (145) 730-731. Several Resolutions, providing a fund (by tonnage duty on sea-going vessels, &c.,) to defray the expenses of the said River Police, reported and agreed to, (156) 783-784.

-----Bill to provide for defraying the expense of the River Police at Quebec; Presented and read, (156) 784-785. Read second time; Committed; Considered, (184) 964. Reported; To be engrossed, (188) 980. Passed, (194) 1019. By the Council, (204) 1081. Royal Assent, (230) 1190. [14 & 15 Vic., c. 25.]

-----Petition of H.J. Noad and others, of Quebec, for amendment of the Bill so as to exempt from the tonnage duty all vessels under 200 tons, engaged in the coasting trade, (189) 993, (195) 1035.

-----Vide Montreal River Police; Seamen.

QUEBEC ST. ANDREW'S CHURCH:--Petition of Rev. Dr. Cook and others, for aid for the school in connexion with the said Church, (36) 150, (40) 171.

QUEBEC SCHOOL OF MEDICINE:--Petition of the Members thereof, for the usual aid,
(5) 15, (18) 64.

QUEBEC TEACHERS' LIBRARY ASSOCIATION:--Petition of Charles Dion and others, for
aid, (45) 196, (52) 226.

QUEBEC TRINITY HOUSE:--Vide Accounts and Papers, 89.

QUEBEC TURNPIKE ROADS:--Question, relative to loans to the Trustees of the said
Roads; Answer, 450.

-----House goes into Committee (His Excellency's recommendation being signified)
to consider of extending the provisions of the Quebec Roads Ordinance, to
certain other roads,--and authorizing the Trustees to raise a further loan,
(106) 510. Two Resolutions reported and agreed to, (109) 526.

-----Bill to authorize the Trustees to extend the provisions of the Ordinance to
certain other roads, and to effect a loan of £15,000; Presented and read,
(109) 526. Read second time; Committed, (233) 1207. Instruction to Com-
mittee, to make a certain amendment to the Bill; Considered; Reported; To be
engrossed, (322) 1558. Passed, (330) 1592. By the Council, (345) 1633.
Royal Assent, (360) 1672. [14 & 15 Vic., c. 132.]

-----House goes into Committee to consider of authorizing the Trustees to issue
debentures for £5,000, to purchase and rebuild the Montmorency Bridge, (186)
974. Resolution reported and agreed to, (191) 997.

-----Bill to authorize the Trustees to issue debentures to purchase and rebuild
the Montmorency Bridge; Presented and read, (191) 997. Read second time;
Committed; Considered; Reported; To be engrossed, (321) 1557. Passed, (326)
1571. By the Council, (342) 1625. Royal Assent, (360) 1673. [14 & 15 Vic.,
c. 133.]

-----Petitions praying that the Charlesbourg Road may be placed under the control
of the Turnpike Road Trustees to the distance of two miles in the direction
of Lake Beauport, and 4½ miles in the direction of Stoneham:--Of Edouard
Robitaille and others; Of Hon. F.W. Primrose and others, (6) 19, (20) 79.

-----Petition of Municipal Council, County of Quebec, for the grant of a sum of
money to the Trustees to complete certain roads, (22) 101, (37) 151.

-----Petition of N.F. Belleau and others, for improvement of the Route St.
Jacques, (170) 898, (176) 929.

-----Vide Accounts and Papers, 90; Addresses, To His Excellency, 47.

QUEBEC WATER WORKS:--Petition of the Mayor and Councillors of Quebec for amend-
ments to the Acts for supplying the City with water, (60) 284, (70) 335.
Referred to Committee on Standing Orders, (76) 358. Report thereon, (79)
382. Bill presented and read, (86) 419. Read second time; Referred, (151)
755. Members added, (163) 847. Reported; Committed, (168) 885. Considered;
Reported; To be engrossed, (267) 1354. Passed, (281) 1394. By the Council;
(301) 1488. Royal Assent, (360) 1672. [14 & 15 Vic., c. 131.]

QUEEN'S BENCH (LOWER CANADA):--Bill to amend the Act establishing the Court of
Queen's Bench for Lower Canada; Presented and read, (39) 161. Read second
time; Committed, (48) 206. Considered; Reported; To be engrossed, (69-70)
319. Passed, (92) 440. Returned from the Council, with amendments, (345)
1632. Considered, and agreed to, (346) 1635-1636. Royal Assent, (359)
1669. [14 & 15 Vic., c. 88.]

QUEEN'S COLLEGE, KINGSTON:--Petition of the said College for an endowment, (91)
435, (101) 481.

-----Petition of the same, for a grant to the Grammar School established in con-
nexion therewith, (91) 435, (101) 481.

-----Vide Addresses, To His Excellency, 43.

QUEEN'S COUNSEL:--Vide Courts.

QUEEN'S PRINTER:--Vide Supply.

QUESTIONS:--Debate on questions adjourned, (3) 7, (73) 344, (106) 509, (195) 1030, (196) 1036, (296) 1461.

-----Notice being taken, upon a motion for a Committee of the whole respecting the resignation of Hon. Mr. Baldwin, of his seat in the Cabinet, that the said motion contained certain Resolutions of which Notice had not been given, Mr. Speaker decides the said motion to be out of order, (154) 771-776.

-----Amendment to an amendment, (182) 954 (negatived on division), (193) 1010 (negatived on division), (234) 1215 (negatived on division), (313) 1531, (341) 1622.

-----Notices of Motion (for Addresses, Bills, &c.):--9, 10, 17, 42, 74, 94, 135, 163, 164, 188, 209, 221, 249, 278, 308, 374, 431, 476, 486, 513, 530, 574, 592, 627, 684, 700, 802, 821, 840, 870, 1012, 1071, 1117, 1175, 1406, 1422, 1462, 1584.

-----Notices of Question:--10, 74, 135, 164, 188, 530, 1406.

-----Motions or Questions, Postponed:--94, 95, 121, 188, 209, 308-309, 309.

-----Motions or Questions, Withdrawn:--136-137, 137-142, 250, 374-375, 397-398, 431, 552, 574, 685-687, 821, 870-871, 965, (209) 1114, 1117-1118, 1227, 1347, 1552, 1609.

-----Questions and Answers:--95, 121, 135-136, 136, 188-189, 189, 189-190, 249, 249-250, 278, 308, 331, 352, 450, 451, 476, 574-575, 684, 870, 911, 988, 1071, 1289, 1305, 1678.

-----Motion, to postpone consideration of certain Resolutions of Supply, negatived on division, and a like motion again moved, immediately, and carried, (225) 1173-1174. Again, (237) 1226.

-----Question put on a motion, and House adjourns for want of a quorum, (264) 1327, (302) 1495.

-----Mover votes against his own motion, (341) 1623.

QUESTIONS, NEGATIVED OR SUPERSEDED:

1. For leave to bring in a Bill to repeal certain parts of the Act relating to the Trust and Loan Company of Upper Canada, (21) 90.
2. That a sufficient number of copies of the Journals be printed to supply one copy to each Municipality, and to the proprietors of such Newspapers as shall be furnished to the House; Superseded by amendment, (35) 133. Vide Printing.
3. For referring to a Select Committee the Petition of John Montgomery, praying compensation for the destruction of his property during the Rebellion, (46) 197-198.
4. For appointing a Select Committee to inquire into the management of the Quebec Forwarding Company, (46) 200.
5. That the Bill to annex the old survey of West Gwillimbury to East Gwillimbury be read a third time to-morrow; Superseded by amendment, (48) 206-208.
6. For referring to a Select Committee the Petition of John Carey, for compensation for injury to his property by the construction of the West Toronto Road, (50) 217.
7. For appointing a Select Committee to consider all Petitions for the construction of roads, bridges, and landing places on the north and south shores of the St. Lawrence in the District of Quebec, (54) 231-232.
8. For leave to bring in a Bill to fix the time and place for the meeting of Parliament; Motion refused by Mr. Speaker, (54) 232-239.

9. For the second reading of the Bill for the relief of merchants, traders, and others; Postponed six months, (67) 305-307.
10. For the second reading of the Bill to limit the expenditure of public money, and the granting of Pensions; Postponed six months, (70) 324-330.
11. That the House go into Committee to consider of rescinding the 70th Rule (requiring payment of £15 on certain private Bills), (74) 348.
12. For the second reading of the Bill to establish Conciliation Courts in Upper Canada; Postponed six months, (78) 363-373.
13. For referring to a Select Committee so much of the Petition of Martin McKinnon as relates to the sale of the Clergy Reserves and the abolition of the Rectories, (82-83) 406-410. For referring so much thereof as prays for justice with respect to his claim to Lot 19, 9th Concession of Vaughan, (176) 929.
14. That it be an Instruction to the Committee of the whole on the Territorial Divisions Bill to report that no County shall be set apart under the Bill until the inhabitants thereof shall have declared themselves in favor of the erection of such County, (93) 445.
15. For referring to a Select Committee the Petition of William Murray, for compensation for losses as a contractor on the Welland Canal, (105) 491.
16. That the Rules relative to Fees on Private Bills, and expense of printing, be suspended as regards the Bill to amend the Port Burwell Harbour Act, (105) 493.
17. That the best mode of conveying to the Imperial Government the wishes of the Legislature relative to the Clergy Reserve question, is to pass an Act containing all the desired provisions, with a clause suspending its operation until it has received the sanction of the Imperial Parliament, (105) 500-509.
18. For an Address to Her Majesty, praying that the existing arrangements relative to the Clergy Reserves may remain undisturbed, (129) 637-647.
19. That the Clergy Reserves, having been already diverted from the purpose for which they were originally bestowed, it is desirable to divert them from all ecclesiastical purposes, and apply them to a general system of Education, (129) 651-652.
20. For referring to a Select Committee the Petition of Henry Smith, complaining of his removal from the office of Warden of the Penitentiary, (108) 523-524.
21. That the Great Western Railroad Company be required to furnish a Return of the condition of their affairs, the extent of road completed or under contract, the names of the Directors and Shareholders, amount paid up, &c., (113) 543.
22. For referring to a Select Committee the Petition of Martin McLeod, for a consideration of his claim for land as a retired military officer, (115) 557.
23. For appointing a Select Committee to report by Bill or otherwise for the abolition of the Court of Chancery and for conferring Equity powers on the Common Law Courts, (117) 569-570.
24. That it is inexpedient to disturb existing appropriations of the Clergy Reserves, but that one half the annual fund be apportioned among those Christian Bodies hitherto unprovided for, (128) 637-647.
25. That the Bill to admit Edward Taylor Dartnell to practise be read a second time; Postponed six months, (131) 658-659.
26. That the Bill to admit D'Alton McCarthy to practise be read a second time; Postponed six months, (131) 659-660.
27. For referring to a Select Committee the Bill to establish a Church Society in each Diocese of the Church of England in Lower Canada, with instructions to prepare a general measure conferring the like privileges on all religious bodies, (132) 660-662.
28. For referring to the Committee of Supply the Petition of Leonard Wilcox, for compensation for the seizure of his vessel in 1815, (134) 669-670.
29. For the second reading of the Bill to amend the laws concerning the interest of money; Postponed six months, (137) 676-683.
30. For referring to the Committee of Supply, the Petition of David Currie and

- others, for aid to improve a road in Mono, (139) 704.
31. That the House go into Committee to consider certain Resolutions, setting forth that the impracticability of carrying out the scheme of the Union, under its original conditions,--and of legislating for the whole Province as one, having been proved by experience, it is expedient to Address Her Majesty, praying her to take into consideration the state of the Province, with the view of securing to the British and French population, respectively, the enjoyment of such laws and institutions as are most conformable to the customs and habits of each; Superseded by Previous Question, (140-141) 707-712.
 32. For the second reading of the Bill to amend the Census Act; Postponed six months, (141-142) 715.
 33. That inasmuch as the Church of England is arrayed against the people of Canada in their efforts for equal civil and religious rights, for the abolition of the Rectories, and the alienation of the Clergy Reserves, it is inexpedient to strengthen the said Church in its hostility by granting its request for the incorporation of an exclusive sectarian College for itself; Moved in amendment to a question relative to the Bill to incorporate Trinity College, and negatived on division, (157-158) 792-794.
 34. For referring to a Select Committee the Petition of J. Bruneau and others, for an extension of the time for producing militia claims, (158) 809-810.
 35. That it be an Instruction to the Committee on Railroads to inquire into the amount of Clergy Reserve, College, and School Funds in Upper Canada, and Jesuits' Estate Fund in Lower Canada, and other Specific Funds,--with a view of ascertaining whether the proceeds of the public lands cannot be made available to aid in the construction of Railroads with security to the funds so invested, (159) 812-813.
 36. That the House do go into Committee to consider of reducing the duties on imports, with the exception of those articles which enter into competition with the productions of this Province, (159) 816-820.
 37. That no grant be made out of the public Revenue to any institution or public body under the control of any particular religious denomination, (163) 846.
 38. For referring to a Select Committee the Return to an Address for a copy of the Petition of John Coppins, to the Directors of the Lunatic Asylum at Toronto, and the proceedings thereon, (164) 856.
 39. For the second reading of the Bill to facilitate the negotiation of Promissory Notes and Bills of Exchange and to relieve the same from the operation of the Usury Laws; Postponed six months, (169) 888-891.
 40. For the second reading of the Bill to amend the law of Upper Canada relative to the practice of Physic and Surgery; Postponed six months, (179) 935-936.
 41. For the second reading of the Bill (from the Council) to amend the laws relative to the Interest of money; Postponed six months, (180) 939-940.
 42. For the third reading of the Bill to incorporate the Sault Ste. Marie Canal Company; Postponed six months, (182) 949-955.
 43. That a Statement of the Sessional allowance and mileage paid to each Member, in 1849 and 1850, be laid on the Table, (184) 970.
 44. For the second reading of the Bill to prevent fraud in the sale of horses in Lower Canada; Postponed two months, (192) 1005-1006.
 45. For the second reading of the Bill to regulate the amount of toll to be taken by millers in Upper Canada; Postponed six months, (196) 1037.
 46. For the second reading of the Bill to extend the provisions of the Act authorizing the formation of Road Companies in Lower Canada; Postponed six months, (197) 1038-1039.
 47. For the second reading of the Bill to explain a certain provision of the Lumber measurement Act; Postponed six months, (197) 1039.
 48. For the second reading of the Bill to provide for the election of Sheriffs in Upper Canada; Postponed three months, (197) 1040-1041.
 49. For the second reading of the Bill to render vacant the seats of Members in

- certain cases; Postponed six months, (198) 1042-1043.
50. For a Committee of the whole to consider of Addressing Her Majesty, praying her to authorize the calling of a Convention from the different North American Provinces, to frame a Constitution for their future government, (202) 1059-1070.
51. For referring to a Select Committee so much of a certain Return relative to Public Works, as relates to the sale of the York Roads, (202-203) 1070.
52. That any measure on the Representation ought to be based on the gradual increase of the population; Moved in amendment to the second reading of the Bill for increasing the Representation, and negatived on division, (195) 1023, (205) 1090.
53. For referring to a Select Committee the Petition of Louis Cyrus Macaire, relative to the destruction of his property by fire while in the possession of a Coroner's Court, (206) 1097.
54. That the 19th Rule of the House (relative to the House being cleared of strangers at the request of a Member) be rescinded, and another provision substituted therefor, (207) 1098-1099.
55. For leave to bring in a Bill to repeal the sections of the Union Act relating to Rectories, and to abolish those already established, (207) 1099.
56. Motion, that it is inexpedient to remove the Seat of Government until after the expiration of four years from the time of its recent removal to Toronto; Amendment, that if the system of alternate Parliaments is not carried out in accordance with the views expressed with the Addresses presented to the Queen, and to His Excellency, on the subject, it is expedient that the Legislature should at once designate some place as the permanent Seat of Government, negatived on division; Main motion also negatived on division, (207-208) 1100-1109.
57. Motion for a Committee of the whole, to consider the propriety of opening the navigation of the St. Lawrence to the Vessels of all Nations; Motion to postpone consideration six months, negatived on division; Main motion superseded by Previous Question, (209) 1110-1114.
58. For the second reading of the Bill to provide for the construction of a canal around the Sault Ste. Marie Falls; Postponed six months, (212) 1130-1131.
59. For the second reading of the Bill to allow the recusation of Judges who are Seigniors, in cases affecting Seigniorial rights, (214) 1135-1139.
60. For the second reading of the Bill to establish the legal rate of interest in Upper Canada at 7 per cent, (226) 1180.
61. For leave to bring in a Bill to equalize the Representation of the people in Parliament, (226) 1181.
62. For an Address for a Statement of the Receipts and Expenditure of the Indian Department during the last two years, and a copy of the last annual Report of the Grand River Navigation Company, with a Statement of their affairs, (226-227) 1181-1182.
63. For an Address praying His Excellency to issue debentures, under provisions of 7 Will. 4, c. 73, for the completion of the Grand River Navigation, (226-227) 1182.
64. For the second reading of the Bill to allow all Her Majesty's Subjects to plead for themselves or others in all Courts in Canada; Postponed three months, (232) 1203-1207.
65. For the second reading of the Bill for recording the votes of Members on the final passage of Bills; Postponed six months, (238) 1232.
66. For the second reading of the Bill to extend the jurisdiction of the Division Courts in Upper Canada, (238) 1232-1233.
67. For the second reading of the Bill to diminish Sunday labor in the Post Office Department; Postponed six months, (238) 1233-1235.
68. That it be an Instruction to the Committee on the Bill for the better security

- of Mechanics, &c., to confine its operation to Upper Canada, (247) 1264-1265.
--Do. to Lower Canada, (247) 1265.
69. For the second reading of the Bill to restrict the acceptance of office in certain cases, (247) 1265-1266.
 70. For the second reading of the Bill to prevent mischiefs arising from the printing of newspapers and pamphlets by persons not known in Upper Canada; Postponed three months, (247-248) 1266-1267.
 71. For referring to a Select Committee the Petition of Messrs. Paterson and Urquhart, complaining of the conduct of the Collector of Customs at Toronto, (248) 1272-1274.
 72. That the Return relative to King's and Upper Canada Colleges be printed in English only for the Journals, and in octavo form as already ordered by the House, (250) 1277.
 73. That the order for the second reading of the Bill to declare that Bonds, &c., to the Crown be restored to its original position on the Orders of the Day, (251) 1293.
 74. For the second reading of the Bill to require annual Reports from certain Provincial Officers; Postponed six months, (255) 1302.
 75. For the second reading of the Bill to amend the law relative to the inspection of weights and measures in Lower Canada; Postponed three months, (255) 1302-1303.
 76. For leave to offer a Motion to change the hours of the sitting of the House for the remainder of the Session, (259) 1312.
 77. For the third reading of the Bill to enforce the attendance of witnesses in civil cases from any part of the Province; Postponed three months, (259-260) 1313-1314.
 78. For receiving the Report of the Committee of the whole on the Bill to afford a remedy against depredations by Raftsmen; Postponed three months, (261) 1316-1317.
 79. For the third reading of the Bill (from the Council) for securing the independence of Municipal Councils in Upper Canada; Postponed three months, (261) 1317.
 80. For the second reading of the Bill to exempt Proprietors of newspapers from postage; Postponed six months, (262) 1321-1322.
 81. For printing the Petition of J.B. Pâquet and others, relative to compensation for their militia services, (267) 1353.
 82. For referring to a Select Committee the Petition of Donald Cameron, for the issuing of deeds to him and his followers for certain lands in Thorah, (280) 1391.
 83. That the House do adjourn, this day being the Feast of the Assumption, (284) 1410.
 84. For the second reading of the Bill to prohibit the erection of any toll-gate that might intercept the passage from one part of a city, &c., to another; Postponed three months, (285) 1412-1413.
 85. For referring to a Committee of the whole the Bill to amend the Charter of the Woodstock and Lake Erie Railroad Company, (288-289) 1424.
 86. For the third reading of the Bill to amend the Act for the summary decision of small causes in Lower Canada; Superseded by amendment, (290) 1427-1428.
 87. For referring to a Committee of the whole the Bill to increase the capital of the Port Hope Harbour Company; Postponed three months, (294) 1437-1438.
 88. For the third reading of the Bill to prohibit the payment to mechanics, &c., of their wages in goods; Postponed six months, (295) 1440-1441.
 89. For an Address to His Excellency for appointment of a Commission to devise an equitable mode of commutation of the Seigniorial Tenure, (298) 1479-1480.
 90. For referring to a Select Committee the Petition of Henry Allen, Esq., relative

- to his dismissal from the office of Judge of the London District Court, (309) 1523.
91. That a searching Enquiry into the administration and cost of management of the various Departments of the Public Service is imperatively called for, (314) 1534.
92. That such Enquiry, to be productive of good, must be extended to the system as well as the details of official management and expenditure, &c., (314-315) 1535.
93. For leave to bring in a Bill to render more effectual the remedy by writs of execution in Upper Canada; Superseded by calling the Orders of the Day, (344) 1632.
94. That Mr. Wilson (having spoken for the half hour limited by Resolution of the House) be further heard upon a certain question, (344-345) 1632.
95. For the second reading of the Bill to repeal certain provisions of the Act for securing the independence of the Legislative Assembly; Postponed six months, (355) 1656.
96. For an Address to His Excellency, for the removal of all obstructions in the bed of the River St. Lawrence, to the depth of ten feet; Superseded by prorogation, (358) 1666-1667.

-----For taking up a certain Order of the Day, (350) 1643.

-----That the remaining Orders of the Day be postponed, (152) 760, (174) 922, (248) 1268, (264) 1326, (301) 1493, (302) 1494, 1495.

-----That the House do now adjourn, (204) 1081-1082, (264) 1326, (302) 1494, 1495, (353) 1652.

-----Vide also Baldwin, Hon. Robert; House; Previous Question.

QUORUM:--House adjourns for want of, (264) 1327, (302) 1495.

R.

RAFTSMEN:--Bill to afford a better remedy against depredations committed by Raftsmen; Presented and read, (23) 102. Order for second reading, (88) 421. Read second time; Referred, (96) 461-462. Reported; Committed, (150) 751. Considered, (256) 1303. Question for receiving Report postponed three months, (261) 1316-1317.

RAGLAND, MILTON:--Petition of, for authority to hold real estate, (32) 123, (37) 152. Referred to Committee on Standing Orders, (41) 172. Report thereon, (50) 219. Bill to naturalize Milton Ragland, and to enable him to inherit certain lands; Presented and read, (59) 263-264. Order for second reading discharged; Bill withdrawn, (131) 658.

RAILROADS:--Bill to repeal so much of the Act 13 & 14 Vic., c. 72 (relative to incorporation of Road and other Companies) as relates to the construction of Railways; Presented and read, (185) 970. Motion, to postpone second reading six months, negatived on division; Read second time; Committed; Considered; Reported amended (by providing for saving the rights of the Brantford and Buffalo Joint Stock Railroad Company); One of the amendments agreed to; the other negatived on division; Recommitted, to add a clause permitting the Company to complete their organization; Reported amended; Amendment negatived on division; Motion to recommit Bill again; Amendment; that it be engrossed, carried, (340-342) 1619-1623. Read third time; Ryder added (permitting the Company to continue its operations); Passed, (348) 1639-1640. By the Council, (358) 1665. Royal Assent, (360) 1672. [14 & 15 Vic., c. 121.]

- Bill to consolidate the several clauses relating to Railways; Presented and read, (185) 970. Read second time; Committed, (235) 1216. Considered, (246) 1261-1262. Reported; To be engrossed, (250) 1285. Passed, (259) 1313. Returned from the Council, with amendments, (295) 1439. Considered, and agreed to, (296) 1447-1448. Royal Assent, (358) 1667. [14 & 15 Vic., c. 51.]
- House goes into Committee to consider of the construction of a trunk line of Railroad through the Province, and also, of amending the Act for affording the Provincial guarantee to Railroad Companies, (250) 1278-1285. Report of Executive Council respecting the negotiation of future loans, referred, (259) 1312. Further considered, (266) 1335-1345. Eighteen Resolutions, for co-operating with the Lower Provinces in the construction of a Railroad from Halifax to Quebec,--also for constructing as a Provincial work a Railway from Quebec to Hamilton, or affording the Provincial guarantee to private Companies therefor; for limiting the said guarantee to such Companies, and to the St. Lawrence and Atlantic, the Great Western, and the Ontario, Simcoe, and Huron Railroad Companies; and also, for appointing a Board of Railway Commissioners, (272-274) 1366-1370. Motion, for second reading of Resolutions; Amendment, that it is inexpedient to commence the Halifax Railroad until Nova Scotia and New Brunswick have provided the means for constructing their portion of it, negatived, (274-275) 1370-1376. Amendment, to postpone consideration till next Parliament, negatived on division; Amendment, to add "provided the Imperial guarantee can be obtained for the whole amount required, &c.," negatived on division; Amendment, that this Province will guarantee its share of an Imperial Loan of £7,000,000 sterling, to construct certain portions of the line from Halifax to Hamilton, negatived on division, (275-276) 1376-1379. Main motion carried; 1st Resolution read; Several amendments (relative to increasing the Public Debt, &c.), negatived on division; Resolution amended (guaranteeing Debentures of existing Companies), and agreed to, (276-277) 1379-1382. An Amendment to 2nd Resolution, negatived on division; 2nd and 3rd Resolutions adopted, (277-278) 1382-1383. Motion (in amendment to 4th) that the Canadian portion of the line from Quebec to Halifax be not constructed by the Government, but by loans to private Companies, negatived on division; Resolutions, 4 to 6, agreed to; Motion (in amendment to 7th) that the money to be borrowed in England at 3½ per cent be loaned to private Companies at 6 per cent,--the balance of interest to form a Sinking Fund, negatived on division; Resolutions, 7 to 16, agreed to, (278-279) 1384-1385. 17th Resolution (for affording the guarantee to private Companies on the main line) amended, by including the Ontario, Simcoe, and Huron Union Railroad Company; 17th and 18th Resolutions agreed to, (279) 1385.
- Bill to provide for the construction of a main trunk line of Railway through the Province; Presented and read, (279) 1385. Read second time; Committed; Resolution appropriating £4,000,000 to construct the same referred, (301) 1493-1494. Considered, (316) 1539. Reported; To be engrossed, (319) 1547. Read third time; Ryders moved and negatived on divisions; Bill passed, (327-328) 1573-1582. By the Council, (345) 1633. Royal Assent, (361) 1673. [14 & 15 Vic., c. 73.] Vide below.
- House goes into Committee, to consider of granting £4,000,000 currency, towards the share of this Province of the expense of constructing a Railway from Halifax to Quebec, and thence to Hamilton (His Excellency's recommendation being signified), (287-288) 1418-1419. Resolution reported; Motion, to recommit the same, negatived on division; Resolution agreed to, (289) 1424-1425. Referred to Committee of whole on the Bill, (301) 1494. Vide above. Vide also Supply.
- Bill to raise a loan of £4,000,000 for making a main trunk line of Railway through the Province; Presented and read, (321) 1556. Read second time; Committed; Considered; Reported; To be engrossed, (332) 1596-1597. Passed, (338) 1615.

- By the Council, (345) 1633. Royal Assent, (361) 1673. [14 & 15 Vic., c. 75.]
- Bill to extend the provisions of the Bill (vide above) providing for the construction of a main trunk line of Railway through the Province; From the Council; Read first time, (342) 1625. Read second and third times, and passed, (351) 1646-1647. Royal Assent, (359) 1669. [14 & 15 Vic., c. 74.]
- Petition of F. DeSales Bastien on behalf of Municipal Council, County of Vaudreuil, for construction of a main trunk line of Railway from Montreal to the Western extremity of the Province, (198) 1046, (206) 1096. Printed, (206) 1096. Referred to Committee on Railroads, (226) 1180.
- STANDING COMMITTEE on Railroads and Telegraph Lines appointed, (18) 66, (22) 93. Members added, (66) 302. Message sent to the Council, desiring leave for a Member to appear before Committee, (119) 582-583. Motion, for an Instruction to inquire into the amount of Clergy Reserve, College, School, and Jesuits' Estate Funds, and other Specific Funds, with a view of ascertaining whether the proceeds of the public lands cannot be made available to aid in the construction of Railroads, with security to the funds so invested, negatived on division, (159) 811-813. Instruction, to inquire and report the names of shareholders, and the amount of stock subscribed, and instalments paid in, in the various Railroad Companies since the passing of 12 Vic., c. 29, (202) 1059.
- SUBJECTS REFERRED:--That part of His Excellency's Speech which relates to Railways, (50) 220. Correspondence between the Boards of Works and the Great Western and Ontario and Huron Railroad Companies, relative to the Guarantee Act, (55) 241. Despatch respecting Halifax and Quebec Railroad, (64) 292. Petitions in favor of a Railway from Montreal to Kingston by the Ottawa River, (76) 358, (108) 524. Montreal and Kingston Railway Bill, (90) 428. Champlain and St. Lawrence Railway Extension Bill, (100) 473. Kingston and Toronto Railroad Bill, (113) 544. Great Western Railroad Consolidation Bill; Toronto and Lake Huron Revival Bill, (114) 547. Petition of Ontario, Simcoe, and Huron Railroad Union Company, against revival of the Toronto and Lake Huron Railroad Act, (119) 583. Petitions of J.C. Pierce and others, and E.B. Franchère and others, against construction of a bridge over the Richelieu by Champlain and St. Lawrence Railroad Company, (128) 636. Petition of Mayor and Corporation of Toronto (Toronto and Goderich Railway), (131) 658. Woodstock and Lake Erie Railroad Amendment Bill; Lake Superior and Pacific Railway Bill; Montreal, Ottawa, and Kingston Railway Bill; Toronto and Goderich Railway Amendment Bill, (133) 663-666. Petition of J.G. Bowes and others, and of W.P. Howland and others (respecting Toronto and Goderich Railway), (134) 670. Bytown and Prescott Railway Amendment Bill, (173) 919. Montreal and Vermont Railway Extension Bill, (174) 921. Petition of F. DeSales Bastien, for construction of a main trunk Railway through the Province, (226) 1180. Wolfe Island, Kingston, and Toronto Railway Revival Bill, (323) 1561. FIRST REPORT of Committee; Printed, (176-177) 929-930. SECOND REPORT (on Champlain and St. Lawrence Railroad Extension Bill), (194) 1018-1019. THIRD REPORT (on Bytown and Prescott Railway Bill, and Montreal and Vermont Railway Bill), (203) 1079. FOURTH REPORT (on the Gauge, and on Toronto and Goderich Railway Amendment Bill), (210-211) 1126. FIFTH REPORT (on Montreal and Kingston Railway Bill, and Kingston and Toronto Railway Bill), (239) 1237. SIXTH REPORT (on Great Western Railroad Bill and Woodstock and Lake Erie Railway Bill), (279) 1390. SEVENTH REPORT (on Wolfe Island, Kingston, and Toronto Railway Bill), (328) 1588. EIGHTH REPORT (on the remaining references); Printed, (358) 1666.
- Notice of Question, whether the Government has offered the position of Chairman of the Railway Committee, or any other office, to Sir A. MacNab, 530.
- Vide Accounts and Papers, 57, 91, 92; Addresses, To His Excellency, 23, 50; Public Works.

REAL ESTATE:--Bill to amend the Act for simplifying the transfer of real property in Upper Canada; Presented and read, (21-22) 92. Order for second reading, (56) 247. Read second time; Committed, (74) 349. Considered; Reported; To be engrossed, (181) 943. Passed, (184) 957. By the Council, (200) 1054. Royal Assent, (229) 1190. [14 & 15 Vic., c. 7.]

-----Bill to provide a more summary process for proprietors of real property in Lower Canada to obtain possession thereof when illegally detained; Presented and read, (31) 119. Order for second reading, (44) 186. Read second time; Referred, (77) 362-363. Reported; Committed, (119) 582. Considered; Reported; To be engrossed, (175) 924-925. Passed, (178) 933. Returned from the Council, with an amendment, (265) 1333. Considered, and agreed to, (267) 1353-1354. Royal Assent, (359) 1670. [14 & 15 Vic., c. 92.]

-----Bill to declare that Bonds and other personal securities to the Crown shall constitute no incumbrance upon Real Estate; Presented and read, (113) 543-544. Motion, that the order for second reading be replaced in its original position on the Orders of the Day, negatived on division, (251) 1293. Read second time; To be engrossed, (322) 1559. Passed, (326) 1571. Returned from the Council, with an amendment, (346) 1635. Considered, and agreed to, (348-349) 1640-1641. Royal Assent, (359) 1669. [14 & 15 Vic., c. 80.]

REBELLION LOSSES:--Notice of Question, relative to the Commission appointed to report on the losses sustained by Lower Canada, during the Rebellion of 1837-8, and to the payment of claims preferred before the Commissioners, 164. Question; Answer, 189.

-----Question, relative to the receipt of the Report of the Commission on Rebellion Losses; Answer, 476.

RECORDERS' COURTS (UPPER CANADA):--House goes into Committee, to consider of providing for certain expenses of the administration of Justice in the said Courts (His Excellency's recommendation being signified), (264-265) 1331. Resolution reported and agreed to, (272) 1366.

-----Bill to provide out of the Consolidated Revenue Fund, for certain expenses of the administration of Justice in the said Courts; Presented and read, (272) 1366. Read second time; To be engrossed, (300) 1487. Passed, (304) 1503. By the Council, (324) 1562. Royal Assent, (360) 1671. [14 & 15 Vic., c. 117.]

-----Vide Municipalities (Upper Canada).

RECTORIES:--Bill to repeal so much of Imp. Act 31 Geo. 3, c. 31, as relates to Rectories; Presented and read, (56) 243. Order for second reading, (127) 624. To be first Order of the day, (179) 937. Read second time; Referred, (191-192) 997-1005. Reported; Committed, (204) 1079-1080. Considered; Reported; To be engrossed, (352) 1649. Motions, to postpone third reading three months, and to recommit Bill, negatived on division; Bill passed, (355) 1656-1657. By the Council, (357) 1664. Reserved, (361) 1675.

-----Petition of the Lord Bishops of Quebec and Montreal, against the Bill, (344) 1631.

-----Entries in Journals of Assembly of Upper Canada, of 5th February 1838, relative to the establishment and endowment of Rectories read; Address ordered thereon, (199) 1048-1053.

-----Petition of Martin McKinnon, of Vaughan, complaining of injustice with regard to a Rectory gelbe occupied by him,--and praying that the Rectories may be abolished, the Clergy Reserves be sold for the benefit of free schools, and the Clergy of the Church of England be chosen by their respective congregations, instead of by the Crown, (4) 8, (6) 19. Printed, (52) 226. Motion, to refer so much of Petition as relates to Clergy Reserves and Rectories,

negatived on division, (82-83) 406-410. Motion, to refer to a Select Committee so much of Petition as relates to indemnity for property held by him in Vaughan, negatived on division, (176) 929.

-----Notice of Motion, relative to Rectories and their incumbents, 74.

-----Motion, for leave to bring in a Bill to repeal those sections of the Union Act which relate to Rectories, and to abolish those now constituted, negatived on division, (207) 1099.

-----Vide Accounts and Papers, 93; Addresses, To His Excellency, 11, 54, 72; Clergy Reserves.

REES, DR.:--Entry in Journal of last Session relative to his Petition for remuneration for his services in connexion with the Lunatic Asylum at Toronto, read; Referred to a Select Committee, (136) 674. Report, (155) 782.

REGIOPOLIS, COLLEGE OF:--Vide Addresses, To His Excellency, 43.

REGISTRARS:--Bill to reduce the fees of Registrars in Upper Canada; Presented and read, (65) 298. Read second time; Referred, (127) 625-626. Report thereon, with Bill amended; Committed, (155-156) 782. Printed, as amended, (168) 887. Considered; Reported amended; Motion, that it be engrossed; Amendment, that it be printed, negatived on division; Main motion agreed to, (289-290) 1426. Passed, (296) 1447.

-----Vide Accounts and Papers, 94; Addresses, To His Excellency, 7.

REGISTRATION OF DEEDS, &c.:--Bill to compel the registration of deeds and instruments creating debts to the Crown; Presented and read, (6) 16. Read second time; Committed, (44) 184. Consideration postponed, (48) 208, (89) 424. Considered, (96) 463-464. Reported; To be engrossed, (107) 512. Passed, (109) 525-526. By the Council, (177) 931. Royal Assent, (229) 1189. [14 & 15 Vic., c. 9.]

-----Bill to amend Ordinance regulating registration of titles in Lower Canada (Mr. Lacoste); Presented and read, (69) 317. Read second time; Referred, (180) 939. Bill from the Council (vide below) also referred, with an Instruction to consolidate the same if they see fit; Member added, (218) 1155. Mr. Lemieux's Bill (vide below) referred, (233) 1208. Report, that they have consolidated Mr. Lacoste's Bill with the Bill from the Council, and cannot recommend the passing of Mr. Lemieux's Bill, (286) 1415.

-----Bill to amend the laws relating to the registration of deeds in Lower Canada; From the Council; Read first time, (183) 955. Printed, (186) 973. Read second time; Referred to Committee on foregoing Bill, with an Instruction to consolidate the same if they see fit, (218) 1155. Reported amended by embracing the provisions of Mr. Lacoste's Bill, &c.; Committed, (286) 1415. Considered, (325) 1566. Reported amended, (342-343) 1625-1626. Passed, as amended, (347) 1637. Amendments agreed to by the Council, (353) 1652. Royal Assent, (359) 1670. [14 & 15 Vic., c. 93.]

-----Bill to amend the Ordinance regulating the enregistration of titles in Lower Canada (Mr. Lemieux); Presented and read, (108) 524-525. Read second time; Referred to Committee on Mr. Lacoste's Bill (vide above), (233) 1208. Report, that it is not expedient to pass this Bill, &c., (286) 1415.

RELATIONS AND FRIENDS, MEETINGS OF:--Bill to allow notaries to call meetings of relations and friends without special authority from a Judge; Presented and read, (54-55) 239. Read second time; Referred, (90) 429. Reported; Committed, (102) 483. Considered, (175) 924. Reported; To be engrossed, (232) 1203. Passed, (233) 1212. Returned from the Council, with amendments, (272) 1366. Considered, and agreed to, (280) 1391-1392. Royal Assent, (359) 1668.

[14 & 15 Vic., c. 58.]

RELIGIOUS BODIES:--Motion, that no grant be made out of the public revenue to any Institution or public body under the control of any particular religious denomination, negatived on division, (163) 846.

-----Vide Accounts and Papers, 95.

REPLEVIN:--Bill to amend and extend the law relative to remedy by Replevin in Upper Canada; Presented and read, (47) 200. Read second time; Referred, (89) 427. Reported; Committed, (140) 705. Considered; Reported; To be engrossed, (255) 1302. Passed, (260) 1314. By the Council, (283) 1403. Royal Assent, (359) 1668. [14 & 15 Vic., c. 64.]

REPORTERS' GALLERY:--Vide House; Members; Privileges.

REPRESENTATION, INCREASE OF:--Bill to enlarge the Representation of the People in Parliament; Notice of Motion, 308. Presented and read, (156) 782. Motion, for second reading; Amendment, that any measure on the Representation should be based on the gradual increase of the population, &c.; Debate thereon adjourned, (195) 1022-1030. Resumed; Amendment negatived on division; Main question carried on a division; Notice taken that by the 26th Section of the Union Act, a Bill of this nature cannot be presented for the Royal Assent unless two thirds of both Houses shall have voted for it at the second and third readings; Mr. Speaker being called on to give his vote, declares it to be his opinion that he is precluded by the said Act from voting; His decision appealed from, and sustained by the House; Bill read, and committed, (205) 1082-1091. Order for consideration, discharged, (343) 1627.

-----Motion, for leave to bring in a Bill to equalize the Representation of the People in Parliament, negatived on division, (226) 1181.

RESOLUTIONS:--Communicated to the Council, (47) 201.--Amended, (276) 1380.

RESPONSIBLE GOVERNMENT:--Vide Baldwin, Hon. Robert.

RICE, ISRAEL:--Petition of, representing the assistance afforded by him for many years to destitute travellers, as the only resident on the Gosford Road for 30 miles, and praying a consideration of his case, (57) 256, (61) 286.

RICHARDSON, PRUDENCE:--Petition of, praying to be allowed to put in her claim for damages caused by the works on the River Trent, (6) 19, (20) 80.

RICHELIEU RIVER:--Vide Champlain and St. Lawrence Railroad.

RICHMOND CIRCUIT COURT:--Bill to increase the number of sittings of the Circuit Court at Richmond and Stanstead; Presented and read, (163) 848. Read second time; Committed, (290) 1426. Considered; Reported; To be engrossed, (323) 1561. Passed, (327) 1573. By the Council, (342) 1625. Royal Assent, (359) 1670. [14 & 15 Vic., c. 91.]

-----Petition of C.B. Cleveland and others, for the holding of the said Court once in three months, (149) 750, (155) 780.

RIGAUD, COLLEGE OF:--Petition of Rev. F.T. Lahaye, for aid thereto, (70) 335, (78) 381.

RIGHTS, RESTORATION OF:--Bill to define and restore certain rights to parties therein mentioned; From the Council; Read first time, (246) 1260. Motion, to postpone second reading six months, negatived on division; Read second

time; Motion, for third reading; Amendment, to substitute a Bill declaring the establishment of separate public schools for Protestants and Roman Catholics, a dangerous interference with the common school system,--and (therefore) repealing the 19th section of the Common School Act for Upper Canada, negatived on division; Bill passed, (350-351) 1644-1646. Royal Assent, (360) 1671. [14 & 15 Vic., c. 111.]

RIMOUSKI:--Petition of Municipal Council of Municipality No. 1 for a division of the County for all purposes, (68) 315, (75) 357.

-----Vide Kamouraska.

RIVERS AND RIVULETS:--Bill to repeal the Acts imposing fines on mill-owners for obstructing rivers and streams in Upper Canada by throwing in slabs, &c.; Presented and read, (106) 510. Order for second reading discharged; Bill withdrawn, (232) 1203.

-----Bill to explain and amend the Acts for preventing obstructions in rivers and rivulets in Upper Canada; From the Council; Read first time, (183) 955. Read second time, (339) 1617. Read third time, and passed, (343) 1628. Royal Assent, (360) 1670. [14 & 15 Vic., c. 123.]

-----Bill to amend the Act relating to Agriculture in Lower Canada, with respect to using rivers and their banks for the passage of timber; Reported by a Committee, (244) 1257. Motion, to postpone second reading six months, negatived on division; Read second time; Committed; Considered; Reported; To be engrossed, (322-323) 1560. Passed, (326-327) 1571-1572. By the Council, (342) 1624. Royal Assent, (360) 1670. [14 & 15 Vic., c. 102.]

-----Petition of Benson & Company, and others interested in the lumber trade, for an Act to allow lumbermen to pass along the banks of rivers in Lower Canada,--and to compel owners of mill dams to make slides for the passage of timber, (184) 970, (193-194) 1018. Referred, (203) 1078. Report, with a Bill, (244) 1257. Vide above.

RIVIERE DU LOUP:--Petition of the Municipality of Fraserville, for aid to construct a wharf and improve the harbour at that place, (60) 284, (71) 336.

ROAD COMPANIES:--Bill to amend Act for the formation of Companies to construct Roads and other works in Upper Canada; Presented and read, (33) 125. Order for second reading, (88) 422, (96) 462. Read second time; Committed, (107) 512. Considered, (233) 1208. Reported; Motion, to recommit Bill; Three amendments negatived on divisions; Main motion negatived on division; Bill to be engrossed, (234-235) 1214-1216. Passed, (245) 1259-1260. Returned from the Council, with amendments, (283) 1403. Considered, and agreed to, (284-285) 1410-1411. Royal Assent, (360) 1672. [14 & 15 Vic., c. 122.]

-----Bill to provide against Road Companies leaving their roads out of repair; Presented and read, (46) 200. Read second time; Committed, (89) 427. Considered, (196) 1037-1038. Reported; To be engrossed, (354) 1654. Passed, (356) 1660.

-----Bill to extend the provisions of the Act authorizing the formation of Road Companies in Lower Canada; Presented and read, (85) 416. Question for second reading postponed six months, (197) 1038-1039.

-----Bill to amend the Act authorizing the formation of Road Companies, &c., in Lower Canada; From the Council; Read first time, (291) 1430.

-----Petition of Municipal Council, County of York, for power to Municipal Councils to compel Road Companies to keep their roads in repair, (103) 488, (111) 536.

-----Vide Accounts and Papers, 85; Addresses, To His Excellency, 21; Athanase and Mount Johnson Road Company; Post Office; Railroads; Roads and Bridges.

ROADS AND BRIDGES:--Bill intituled, "The Lower Canada Road Act;" Presented and read, (21) 91-92. Order for second reading, (47) 202-203, (93) 440. Order for second reading discharged; Bill withdrawn, (174) 922.

-----Petitions against the Bill:--Of Municipal Council of Quebec, (81) 404, (93) 456. Of Municipal Council of Portneuf, (101) 480, (104) 490. Of Pierre Dorion and others, of St. Charles de Charlesbourg, (107) 518, (115) 556.

-----Petition of D. Thomas and others, of Shipton, &c., against the provision in the Bill, for the appointment of Grand Voyers, (158) 808, (163) 845.

-----Bill to enable Municipal Councils in Upper Canada to apply statute labor to the opening of roads situate on township lines; Presented and read, (77) 360-361. Order for second reading discharged; Bill withdrawn, (228) 1185.

-----Petitions for a better provision for the improvement of roads running between townships, by statute labor:--Of Municipal Council, County of Haldimand, (32) 123, (37) 152. Referred to Committee on Petition of the same for authority to close up a street in Cayuga, (46) 198. Of Municipal Council, United Counties of Lincoln and Welland, (32) 123, (49) 215.

-----Petition of Municipal Council of Hastings, for an extension of time for grants of tolls on turnpike roads constructed by Municipal Councils, (36) 150, (40) 171.

-----Petition of Hon. Robert Jones and others, praying that proprietors of Roads and Bridges may be relieved from the penalties to which they are liable in levying tolls on persons, &c., carrying the mail, (81) 404, (93) 456.

-----Petition of E.M. Leprohon and others, for indemnification for being deprived of certain rights conferred upon them as proprietors of Roads and Bridges, under Provincial Acts, (134) 668, (139) 703.

-----Petition of Alexander McDonald and others, of Athol, for such an amendment of the Upper Canada Municipal Act as to facilitate the opening of new roads by the Municipal Councils, (149) 750, (155) 780.

-----Petition of D. Burnet and others interested in the lumber trade, for aid to open a Road from the River St. Maurice to the nearest settlement on the St. Lawrence; and permission to make the Road and retain the cost thereof out of the timber dues payable by them, (142) 725, (152) 763.

-----Petitions for aid for Roads:--Of Municipality No. 1, County of Ottawa, and of Peter Aylen and others: Road from the Longue Sault on the Ottawa to the head of the Grand Calumet (and construction of locks at the Joachim); Of C. Boudreau and others: Road from St. Urbain and Ste. Agnès to Ha! Ha! Bay and Lake St. Jean; Of Municipal Council of Kamouraska: a Road in Kamouraska, (5) 15, (18) 63-64. Printed, (59) 260. Of Rev. P. DeVillers and others, of Edouard G. Paradis and others, of P. Prince and others, and of Bernard Gar-naud and others: Arthabaska Road, and a bridge over River Bécancour, (6) 19, (19-20) 79. Of Rev. P. Boucher and others: Road between Cape Chat and Matane, (19) 78, (33) 124. Of Rev. N.T. Hébert and others: Roads from River Saguenay to the interior, (32) 123, (36) 150. Of Hon. A. Dionne and others: Route from Grande Baie to Lake St. John, including bridges, (printed, (59) 260); Of Ralph Merry and others: Road from outlet of Lake Mephrumagog to Sherbrooke, and bridges on the main Eastern Townships Road; Of Michael Mahony and John Stars: Road from Grenville to the Gatineau, (22) 101, (37) 151. Of A. Ross and others: Road from Frampton to Quebec, (45) 195, (51) 225. Of Simon Ross and others: Roads in 2nd Division of Saguenay; Of Louis Tremblay and others: Road between Rivers Saguenay and Noire, (45) 196, (52) 226. Of J.B. Lebel and others: Roads and bridges between Whitworth and Kakouna; Of Rev. Cyprien Tanguay and others: Roads leading from St. Ger-main to Neigète and Macpèse; Of Isaac Roy and others: Opening of a Road to the sea-port in St. Fabien; Of Municipality of Fraserville: Lake Temiscou-ata Road; Of J.B. Legendre and others: Road from Gentilly to River Bécancour; Of Joseph A. Mailhot and others: Road from Rivière aux Crigniaux to the Parish of St. Jean les Chaillons, (60) 284, (71) 335-336. Of Rev. E.

Chabot and others, of U. Beliveau and others, of B. Lasalle and others: a Road in Maddington, (67) 315, (75) 357. Of Rev. F. Boissonault and others: Road from St. Jean Port Joli to the Province line, (68) 315, (75) 357. Of David Currie and others: a Road across Mono, (81) 404, (93) 456. Motion, to refer Petition to Committee of Supply, negatived, (139) 704. Of Olivier Plette and others: Road from Parish of St. Roch, L'Islet, to the frontier line; Of Rev. Z. Sirois and others: a Road from Parish of St. Pierre, L'Islet, (81) 404, (94) 456. Printed, (170) 898. Of Joseph Lefebvre de Bellefeuille and others: Road from Wentworth to the Rivière à Gagnon; Of M. Couture and others: Centre Road of the Seignior of Ste. Croix; Of Municipality No. 1, County of Rimouski: Road through Crown Lands in rear of L'Isle Verte, (91) 435, (101) 481. Of Jonathan Herrick and others: Road from Eastern Townships Road to the Missisquoi Road, (110) 534, (118-119) 581. Of Rev. N.A. Leclerc and others: Lambton Road, (118) 580, (120) 597. Of Rev. L.A. Bourret and others: Government Road from 3rd Concession of Ste. Anne de la Pocatière to 3rd Range of Ixworth, (120) 597, (130) 657. Of Aaron Workman and others: Road from Hereford to Barnston, (214) 1143, (230) 1193. --Certain of the above Petitions which relate to the opening of Roads in the Eastern Townships, referred to the Select Committee on the Settlement of those townships, (102) 483, (134) 670, (214-215) 1143, (226) 1180.

-----Vide Eastern Townships.

ROEBUCK, J.A.:--Vide Accounts and Papers, 96; Addresses, To His Excellency, 49.

ROLPH, GEORGE:--Vide Sydenham Mountain Road Company.

ROMAN CATHOLICS:--Vide Accounts and Papers, 20; Addresses, To His Excellency, 53.

ROMNEY:--Petition of Thomas Jackson and others, for erection of that township into a separate municipality, (91) 436, (102) 482.

S.

ST. ETIENNE, FIEF:--Petition of L.J. Godin and others, praying that titles may be granted them for the lands they occupy in the said Fief, (143) 725, (152) 763.

ST. ETIENNE DE LA MALBAIE:--Petition of Rev. A. Beaudry and others, for aid to construct a wharf and landing place for that Parish and those of St. Fidèle and St. Agnès, (32) 123, (37) 152.

ST. FRANCIS, DISTRICT COURT OF:--Vide Judgments.

-----Vide also Addresses, To His Excellency, 24.

ST. FRANCIS, RIVER:--Petition of J.O. Arcand and others, for improvement of the navigation of that river, (103) 488, (110) 535.

ST. GERMAIN:--Petitions for aid to construct a wharf and breakwater in that Parish:--Of Samuel Bradley and others, (39) 169, (49) 216. Of Joseph Garon and others, (60) 284, (71) 336.

ST. HYACINTHE SEMINARY:--Petition of the Corporation thereof, for aid to erect a more suitable building, (51) 224, (60) 285.

ST. JEAN PORT JOLI:--Petition of P.A. de Gaspé and others, for aid to construct a wharf in that Parish, (107) 518, (115) 557. Printed, (119) 582.

ST. JOHN, ACADEMY OF:--Petition of G. Marchand and others, for aid, (32) 123, (37) 151.

ST. LAURENT, L'ACADEMIE INDUSTRIELLE DE:--Petition of Rev. J.B. St. Germain, for aid thereto, (81) 404, (94) 457.

-----Vide Accounts and Papers, 97.

ST. LAURENT, SOEURS DE STE. CROIX DE:--Vide Accounts and Papers, 98.

ST. LAWRENCE, GULF OF:--Vide Fisheries.

ST. LAWRENCE, RIVER:--Motion, that the House do go into Committee to consider the propriety of opening the navigation of the St. Lawrence to the vessels of all nations; Motion, to adjourn debate thereon till to-morrow; Amendment, to add "to be the first Order of the Day," negatived on division; Amendment, to postpone it six months, negatived on division; Motion for adjourning debate, withdrawn; Previous Question moved (upon the main motion), and negatived on division, (209) 1110-1114.

-----Notice of Motion, for an Address to His Excellency, for the adoption of measures for removal of all obstructions in the bed of the St. Lawrence, to the depth of ten feet, 1406. Motion; Superseded by prorogation, (358) 1666-1667.

-----Motion, for appointment of a Select Committee, to consider all Petitions for the construction of new highways, bridges, and landing places, on the north and south shores of the St. Lawrence, in the District of Quebec, negatived on division, (54) 231-232.

ST. LAWRENCE AND ATLANTIC RAILROAD:--Vide Railroads.

ST. LAWRENCE AND CHAMPLAIN RAILROAD:--Vide Champlain and St. Lawrence Railroad.

ST. LAWRENCE AND INDUSTRY RAILROAD:--Vide Accounts and Papers, 99.

ST. LAWRENCE AND INLAND MARINE ASSURANCE COMPANY:--Vide Accounts and Papers, 7.

ST. LAWRENCE SCHOOL OF MEDICINE (MONTREAL):--Petition of F.C.T. Arnoldi and others, for an Act of Incorporation, (48) 214, (57) 256. Referred to Committee on Standing Orders, (76) 358. Report thereon, (79) 382. Bill presented and read, (86) 418. Read second time; Referred to Committee on Private Bills, (131-132) 660. Reported; Committed, (137) 694. Considered, (255) 1301. Reported; To be engrossed, (261) 1316. Passed, (265) 1333. By the Council, (291) 1429. Royal Assent, (361) 1674. [14 & 15 Vic., c. 154.]

ST. LAWRENCE SUSPENSION BRIDGE:--Petition of Mayor and Councillors of Quebec, praying that a survey and estimate may be made with a view to the erection of a Suspension Bridge over the St. Lawrence, at Cap Rouge or Deschambault, (4) 7, (6) 19.

ST. LOUIS DE LOTBINIERE:--Petition of Rev. Edouard Faucher and others, for adoption of measures to remedy the inconvenience arising from the burning of the Registers of Marriages, Baptisms, and Burials in that Parish, (6) 19, (20) 79. Printed, (20) 80. Referred, (21) 81. Report thereon, (72) 338. Printed, (286) 1416.--Bill presented and read, (77) 361. Read second time; Committed, (175) 923. Considered; Reported; To be engrossed, (268) 1354. Passed, (281) 1394. By the Council, (291) 1429. Royal Assent, (360) 1673. [14 & 15 Vic., c. 137.]

ST. MAURICE, RIVER:--Petitions for the construction of slides on that river:--Of F. Royer and others, (67) 315, (75) 357. Of J. Gillespie and others, of Quebec, (118) 580, (120) 597.

-----Vide Accounts and Papers, 100; Addresses, To His Excellency, 31.

ST. MICHEL:--Petition of Rev. N.C. Fortier and others, for aid to construct a pier at that Village, (138) 703, (149) 750. Printed, (150) 752.

ST. OURS:--Petition of Municipal Corporation of that Village, for authority to dispose of certain moneys in the hands of the Justices for the Parish of St. Ours, in the improvement of the Village, (138) 703, (149) 750.

ST. ROCH DES AULNETS:--Petition of P.T. Dupont and others, for aid to complete a wharf in that Parish, (91) 435, (101) 480.

ST. THERESE DE BLAINVILLE, COLLEGE OF:--Petition of Roman Catholic Bishop of Montreal and others, for the usual aid, and a further grant to complete the buildings, (75) 356-357, (82) 405.

ST. VIATEUR, CORPORATION DES CLERCS DE:--Petition of the said Corporation for aid, (36) 149, (40) 170.

SALARIES OF PUBLIC OFFICERS:--Vide Official Salaries.

SAULT STE. MARIE:--Question, relative to construction of Sault Ste. Marie Canal; Answer, 95.

-----Bill to provide for the construction of a Canal (around the Falls) to connect Lakes Superior and Huron; Presented and read, (43) 182. Order for second reading, (89) 425-426, (124) 619, (169) 892. Question for second reading, postponed six months, (212) 1130-1131.

-----Petition of A.D. Macdonell and others, for incorporation of a Company to construct a Canal around the said Falls, (17) 62, (20) 80. Referred to Committee on Standing Orders, (46) 198. Report thereon, (62) 287. Bill presented and read, (74) 346. Read second time; Referred to Committee on Private Bills, (131) 658. Reported, (155) 781. Committed, (159) 810. Considered; Reported; To be engrossed, (175) 923. Motion, for third reading; Amendment, to add "in six months;" Amendment to amendment, that Bill be referred, negatived on division; First amendment carried, (182) 949-955. Fee to be refunded to Petitioners, (183) 955.

-----Petition of Frederick C. Capreol, for authority to construct a Canal around the Falls, (46) 196, (52) 226. Referred to Committee on Standing Orders, (59) 260. Report, that Notice has not been given, (72) 338-339.

-----Vide Addresses, To His Excellency, 60.

SAVINGS BANKS:--Bill to continue the Act for the regulation of Savings Banks; From the Council; Read the first time, (233) 1213. Read second time, (241) 1242-1243. Read third time and passed, (248) 1274. Royal Assent, (359) 1667.
[14 & 15 Vic., c. 55.]

SCHOOL HOUSES:--Vide Accounts and Papers, 101; Addresses, To His Excellency, 26.

SCUGOG, LAKE:--Vide Fisheries.

SEAMEN:--Bill to amend the Act regulating the shipping of seamen; Presented and read, (260) 1314-1315. Order for second reading discharged, (343) 1627.

-----Petition of Christopher Brown and others, ship-owners, &c., of Quebec, pray-

ing that the owners of new vessels sailing from Quebec on their first voyage may be required to import a portion of their crews, (46) 196, (52) 226.

-----Petition of John Evans and others, of Quebec, for the establishment of an efficient River Police to prevent the desertion of seamen; and for amendment of the Act regulating the shipping of seamen, (57) 256, (61) 286. Printed, (62) 287.

-----Vide Montreal River Police; Quebec River Police.

SEAT OF GOVERNMENT:--Notice of Question, whether it is the intention of Government to remove to Quebec after the close of the present Session, or not till four years after the removal to Toronto, 10. Question; Answer, 135. Question asked a second time; Answer, 189.

-----Motion, that it is inexpedient to remove the Seat of Government until after the expiration of four years from the time of its recent removal to Toronto; Amendment, that if the system of alternate Parliaments is not carried out in accordance with the views expressed in the Address to Her Majesty in 1841, and that to His Excellency in 1849, on the subject, it is expedient that the Legislature should at once designate some place as the permanent Seat of Government, negatived on division; Main motion also negatived on division, (207-208) 1100-1109.

-----Question, whether it is the intention of the Ministry to remove the Upper Canada branch of the Crown Lands Department to Quebec; Answer, 1678.

-----Vide also Addresses, To His Excellency, 66.

SECURITIES TO THE CROWN:--Vide Real Estate.

SEIGNIORIAL TENURE:--Entry in Journals of last Session, relative to certain Resolutions on the Seigniorial Tenure, again read; Referred to a Select Committee, (21) 91. Petitions for abolition of the said Tenure, referred, (37) 152, (40-41) 171-172, (83) 411, (116) 559, (137) 694, (155) 780. Power to report by Bill or otherwise, (37) 152. Member added, (69) 317. Leave granted to the Committee to have their proceedings printed from time to time, (92) 439. Instruction, to inquire into the rate of cens et rentes and other dues exacted by the Seigniors,--whether such rate has been illegally increased,--and whether it is expedient to define the mode and rate of commutation, (112-113) 540. Message sent to the Council, desiring leave for Hon. Mr. deBeaujeu to appear before Committee, (170) 898. Leave granted, (171) 903. FIRST REPORT, with a Bill, (244-245) 1258, (vide below). Printed, (245) 1258. SECOND REPORT, with a Bill, (vide below); Printed, (325-326) 1566-1567. THIRD REPORT; Printed, (349) 1642.

-----Bill to allow the recusation of Judges who are Seigniors, in cases affecting Seigniorial rights; Presented and read, (77) 360. Question for second reading postponed six months, (214) 1135-1139.

-----Bill to facilitate commutation of tenure in the Crown Fiefs and Seigniories in cases of the valuation of property by mutual agreement (Mr. Christie); Presented and read, (199) 1047. Read second time; To be engrossed, (333) 1597-1598. Passed, (338) 1616.

-----Bill to define certain rights to Seigniors and Censitaires, and to facilitate the exercise thereof; Reported by the Committee on the Seigniorial Tenure, (245) 1258. Motion for second reading; Debate thereon adjourned, (296) 1448-1461. Resumed; Motion, to adjourn debate a fortnight, to afford the Seigniors an opportunity of being heard, negatived on division; Motion, for an Address to His Excellency to appoint a Commission to devise an equitable mode of commutation, negatived on division; Bill read second time; Committed; Petitioners to be heard by Counsel thereon, (298) 1469-1480. Motion, to grant them a delay of 15 days, negatived on division, (319) 1547-1549. Bill considered in Committee, (334) 1600-1602. Bill to facilitate redemption of

- Seigniorial rights, &c., (vide below) also referred, (335) 1602-1603. Order for further consideration discharged, (337) 1612-1613.
- Petitions for postponement of the above Bill till next Session:--Of Hon. Louis Michel Viger and others, Members of the House, and proprietors of Seigniories, (292) 1432, (292) 1432-1433. Of William Berezy and others, (297) 1467-1468. Both printed, (305) 1504.
- Petition of Mrs. M.E. de Montenach and others, proprietors of Seigniories, praying to be heard by Counsel against the Bill, (297) 1467. Leave granted for Counsel to be heard on the following Saturday, (298) 1480.--Petition of S.C. Monk and T.E. Campbell, proprietors of Seigniories, for a further delay of 15 days for the hearing of Counsel; Printed, (308-309) 1522. Motion, to grant such delay, negatived on division, (319) 1547-1549.
- Petition of Thomas Trigge and Henry Wulff Trigge, part proprietors of the Seigniorie of Nicolet, representing the injurious effect that the passing of the Bill will have upon their property, and praying that in any laws to be passed upon the subject an equitable system of commutation may be adopted; Printed, (320) 1554.
- Bill to abolish the Seigniorial Tenure (Mr. Gagy); Presented and read, (298) 1468-1469.
- Bill to facilitate the redemption of Seigniorial rights, and to convert the tenure of lands chargeable therewith into franc aleu roturier; Reported by the Committee on the Seigniorial Tenure, (325) 1567. His Excellency (through a Member of the Executive Council) intimates his consent, so far as Her Majesty's interest is concerned; Bill read second time; Referred to Committee of the whole on the Bill to define certain rights of Seigniors, &c., (vide above); Motion, for an Instruction to the Committee to take this Bill into consideration first, negatived on division; Motion, for an Instruction to substitute certain other provisions in lieu of the present Bill, negatived on division, (335-337) 1602-1607. Order for consideration discharged, (337) 1612-1613.
- Notice of Motion, for a Resolution setting forth the intention of the House to settle the question of Seigniorial Tenure before the close of the present Session, 1422.
- Series of Resolutions, setting forth that one of the most valuable rights guaranteed to the people of Lower Canada on the cession of the country, was that of obtaining land for settlement on the sole condition of paying a very small rent to the Seignior; that certain provisions contained in the (Imperial) Canada Trade Act and Canada Tenures Act have materially curtailed this privilege, by giving greater advantages to the Seignior; that it is desirable to carry out the suggestions made by the Seigniorial Tenure Commissioners appointed in 1834; and that an Address be presented to Her Majesty, praying Her to recommend to Parliament the repeal of such provisions in those Acts as relate to the commutation of lands held à titre de fief in Lower Canada; Committee appointed to draft Address, (349-350) 1642-1643. Vide Addresses, To Her Majesty, 9.
- Petitions for the abolition of the said Tenure in Lower Canada:--Of P. Malot and others, of St. Mathieu de Beloeil, (5) 15, (18) 64. Of C.T. de Montigny and others, of Mille Isles; Of Rev. Joseph Crevier and others, of St. Pie; Of Julien Brossois and others, of St. Clément de Beauharnois (printed, (20) 80); Of L. Archambeault and others, of L'Assomption, (17) 62, (20) 80. Of A. Merizzi and others, of Huntingdon; Of David Trudel and others, of Champlain; Of William E. Page and others, of Métis, (19) 78, (32) 124. Of Joseph Deschamps and others, of St. Timothée; Of Joseph A. Asselin and others, of St. Zotique; Of B. Holmes and others, of St. Luc, (22) 101, (36) 150. Of Joseph Lalonde and others, of Ste. Marthe; Of G. Beaudet and others, of St. Clet and St. Ignace (printed, (58) 258); Of A.C. Cholet and others, of

Rigaud, (32) 123, (36) 150. Petitions of Montigny and Crevier referred to the Committee on the subject, (37) 152. Of Pierre Guibord and others, of St. Paul de Lavaltrie; Of Rev. F. Caron and others, of St. Joseph de la Beauce; Of N.L. Oliva and others, of Ste. Claire de la Beauce; Of Pierre Chassé and others, of St. Elzéar, &c.; Of L.O. Taschereau and others, of Chambly, (36) 149, (40) 170. Of J. Bissonette and others, of Huntingdon; Of Joseph Beaudin and others, of St. Jacques de Mineur, (36) 150, (40) 170. All the Petitions referred, (40-41) 171-172. Of L. Dutremble and others, of Ste. Flavie, (39) 169, (49) 216. Of P. Paquet and others, of Dorchester, (45) 195, (51) 225. Of J. Pepin and others, of Huntingdon, (45) 196, (51) 225. Of Jean B. Morissette and others, of Ste. Marguerite de la Beauce, (57) 256, (61) 286. All referred, (62) 288. Of F.E.N. Borgden and others, of Ste. Anne; Of Gaspart Moras and others, of St. Pierre les Becquets, (60) 284, (71) 335. Printed, (105) 491. Of Rev. L.M.A. Archambault and others, of St. Hugues, (75) 356, (82) 405. All referred, (83) 411. Of Joseph Armond and others, of County of Montreal, (81) 404, (94) 457. Of Municipal Council, County of St. Hyacinthe; Of P.C. Phaneuf and others, of St. Damase, (90) 435, (101) 480. Of L.M. Masson and others, of St. Michel de Vaudreuil, (91) 435, (101) 480. Of John Fitzpatrick and others, of Rouville, (103) 488, (110) 535. All referred, (116) 559. Of E. Cartier and others, of St. Hyacinthe; Of Rev. Jean B. Bélanger and others, of Richelieu, (120) 597, (130) 657. Of F.X. Ponsant and others, of St. François d'Assise, (128) 636, (134) 669. Referred, (137) 694, (155) 780.

- Petitions for certain modifications of the tenure:--Of Urbain Beaudet and others, of St. Jean les Chaillons, (6) 19, (20) 79. Referred to the Committee on that subject, (37) 152. Printed, (38) 152. Of P. Gauvreau and others, of St. Germain de Rimouski, (45) 196, (52) 226. Of P. Garon and others of Kamouraska, (107) 518, (115) 556. Referred, &c., (116) 559.
- Petition of E.E. Méthot and others, of Lotbinière, for a reduction of Seigniorial rents to their original rate, and the commutation of the tenure at the option of the Censitaires, (57) 256, (61) 286. Printed, (62) 287. Referred to the Committee on the Seigniorial Tenure, (62) 288.
- Petition of Hypolite Dubord, of Pointe aux Trembles, praying that Judges who are Seigniors may not be allowed to sit in cases where Seigniorial rights are in question, (57) 256, (61) 285-286. Vide above.
- Vide Accounts and Papers, 102; Addresses, To Her Majesty, 9; Addresses, To His Excellency, 68, 70.

SETTLEMENT OF THE PROVINCE:--Petition of James FitzGerald, of Toronto, for the appointment of a Committee to investigate the best means of promoting the settlement of the wild lands by a system of colonization, (203) 1078, (210) 1125. Referred, (230) 1193.

-----Vide also Eastern Townships.

SHEFFORD:--Vide Missisquoi and Shefford.

SHEFFORD ACADEMY:--Petition of S.S. Foster and others, for the usual aid thereto, (6) 19, (20) 79.

SHERBROOKE (TOWN):--Petition of John Moore and others, for an Act to incorporate the said town, (109) 534, (118) 580. Referred to Committee on Standing Orders, (119) 582. Report insufficient Notice, (121) 599.

SHERBROOKE ACADEMY:--Petition of W. Brooks and others, for the usual aid thereto, (17) 62, (20) 80.

SHERBROOKE, DRUMMOND, AND MEGANTIC:--Bill to define the boundaries between those Counties; Presented and read, (136) 675.

SHERIFFS:--Bill to provide for the election of Sheriffs in Upper Canada; Notice of Motion, 17. Motion; Leave granted to present Bill, (53) 229. Presented and read, (95) 458. Question for second reading postponed three months, (197) 1040-1041.

-----Vide Justice, Administration of.

SHIPPING:--Bill to provide for the collection of claims against owners of vessels in certain cases; Presented and read, (136) 675. Read second time; Referred, (255) 1301. Reported; Reprinted; Committed, (309) 1523.

-----House goes into Committee to consider of altering the rate of tonnage imposed on vessels; Progress reported, (140) 705-706. Order for further consideration discharged, (256) 1303.

-----Vide Light Houses; Montreal River Police; Quebec River Police; Trade.

SIMCOE (COUNTY):--Petition of Municipal Council, County of Simcoe, praying that none of the townships in the County may be detached from it, (5) 15, (17) 63.

SMALL CAUSES:--Bill to amend the Act providing for the summary decision of small causes in Lower Canada; Presented and read, (164) 850. Read second time; Motion that it be engrossed; Amendment, that it be committed in three months, carried, (290) 1427-1428.

SOMBRA:--Vide Dawn and Sombra.

SPEAKER:--Reports certificates from Clerk of Crown in Chancery of Return of Members elected upon new writs, (1) 1.

-----Reports His Excellency's Speech at the opening of the Session, (2) 2-4.

-----Communicates a Report from the Librarian, on the state of the Library, (10-15) 47-59.

-----Reports the donations to the Library since last Session, (15-17) 59-62.

-----Refuses to receive a motion for leave to present a Bill to fix the time and place for the meeting of Parliament, as being repugnant to the provisions of the Union Act; His decision appealed from and sustained by the House, (54) 238.

-----Decides a motion for a Committee of the whole relative to the resignation by Hon. Mr. Baldwin of his seat in the Cabinet, to be out of order, in consequence of certain Resolutions, of which no Notice had been given, being attached to the motion, (154) 776.

-----To send circular letters to absent Members, informing them of the call of the House for 22d July, (156) 782.

-----Acquaints the House that a Member has spoken to a certain question for half an hour (the time limited by the Order of the 16th July), (202) 1061, (208) 1104, (232) 1204, (344) 1632.

-----Called upon to give his vote on the Bill for increasing the Representation, which, by the 26th Section of the Union Act, requires the concurrence of two-thirds of the Members, at the 2nd and 3rd readings; Declares his opinion that by the 26th and 34th Sections of the said Act he is precluded from voting in this case; His decision appealed from, and confirmed by the House, (205) 1090-1091.

-----Reports that His Excellency has given the Royal Assent to certain Bills, (229-230) 1188-1191, (358-361) 1667-1675.

-----Communicates a letter from the Governor's Secretary, announcing His Excellency's intention of proroguing the Legislature on 30th August, (333) 1599.

-----Notice being taken that a Member whose name was recorded upon a division was

not in the House while the names were being recorded, he states that he was present when the vote was taken, and had only been out at the door; Mr. Speaker allows him to vote, and to change the vote (which had been recorded with the Yeas,) to the Nays; His decision appealed from, and confirmed, (351) 1647.

- To direct the compilation of a General Index to the Journals since the Union, on such terms as he may deem expedient, (320) 1555.
- To direct one of the Clerks in the House (after the removal of the Parliament to Quebec) to remain in Toronto in charge of an office, with fyles of the Journals, Statutes, &c.,--and to attend to the distribution of the Journals throughout Upper Canada, (356) 1661-1662.
- To cause inquiry to be made as to what steps have been taken, in compliance with the Resolution of 23d July, 1847, for procuring Manuscript copies of certain missing Journals of the Upper Canada Legislature; and to adopt such further measures as may be necessary, (358) 1665.
- His Speech on presenting the Supply Bills to His Excellency, (361) 1676.
- His decisions appealed from, and confirmed by the House, (54) 238-239, (205) 1090-1091, (352) 1647.
- Gives his casting vote,--Affirmative, (131) 658, (151) 754-755, (173) 915-916, (290) 1427, (352) 1648. Negative, (141) 712, (151) 754, (207) 1099, (352) 1648.
- Lays certain Returns and Documents before the House:--Vide Accounts and Papers.
- Vide Civil List.

SPEAKER OF LEGISLATIVE COUNCIL:--Vide Civil List.

SPECIAL DEMURRERS:--Vide Law, Practice of.

SPEECH:--Member (Sir A. MacNab) gives explanation relative to his seconding the motion for Address in answer to His Excellency's Speech from the Throne, 73-74.

-----Vide Addresses, To His Excellency, 1; Governor General; Supply.

STANDING COMMITTEES:--Vide Committees; Library.

STANSTEAD:--Vide Richmond Circuit Court.

STANSTEAD ACADEMY:--Petition of Ichabod Smith and others, for aid thereto, (91) 436, (102) 482.

STATUTE LABOR:--Vide Roads and Bridges.

STATUTES, PROVINCIAL:--Question, relative to revision of Provincial Statutes; Answer, 189.

- Bill to repeal the Act relative to the distribution thereof, and to make other provision therefor; Presented and read, (77) 360. Read second time; Committed, (196) 1036.
- A series of Resolutions, for substituting printed copies of Bills (upon vellum) for the present system of engrossing;--also for repealing the enactment limiting the number of private and local Acts printed with the Statutes, and for altering the form of the Volume of Statutes, and expediting their distribution; To be communicated to the Council, and their concurrence desired, (254) 1299. Agreed to by the Council, (316) 1539.
- Bill to repeal part of the Act relating to the printing and distribution of the Statutes; Presented and read, (254) 1300. Read second time; To be engrossed, (320) 1555. Passed, (337-338) 1614. By the Council, (345) 1634.

Royal Assent, (359) 1669. [14 & 15 Vic., c. 81.]

- Instruction to Committee on Printing to inquire into the cause of the delay in printing and distributing the Statutes, and the expediency of altering the present form, and the mode of distribution, (77) 361. Vide Printing.
- House goes into Committee to consider of Addressing His Excellency for appointment of a Commission to revise the Statutes and Ordinances of the Province, (144-145) 729. Resolution for an Address, reported, and agreed to, (156) 783. Vide Addresses, To His Excellency, 44.
- Resolution, That an Analytical Index to the Acts of this Session, and such of those of former Sessions as are now in force, but were not printed with the Public Acts of former years, be prepared by the Law Clerk, and printed at the end of the Public Acts of this Session, (207) 1100.
- Vide Accounts and Papers, 103; Addresses, To His Excellency, 44.

STEVENS, AARON;--Petition of the sons of the late Aaron Stevens, of Niagara, for the reversal of his attainder, and authority to them to hold so much of his estate as has not been disposed of, (39) 169, (48) 214.--Bill to reverse the attainder, &c., and to avoid the forfeiture of certain of his estates; From the Council; Read first time, (177) 932. Order for second reading (His Excellency's recommendation signified), (191) 997. Read second time, (218) 1155. Passed, (233) 1212. Royal Assent, (361) 1675. [14 & 15 Vic., c. 170.]

STEVENSON, DAVID;--Petition of, representing that he lost his property in connexion with his service in the militia during the last war, and praying relief, (60) 284, (71) 335.

STIPENDIARY MAGISTRATES;--Vide Accounts and Papers, 104; Addresses, To His Excellency, 30.

SUNDAY LABOR;--Vide Post Office.

SUPERIOR, LAKE;--Vide Addresses, To His Excellency, 55; Sault Ste. Marie.

SUPPLY;--His Excellency's Speech considered; Motion, that a Supply be granted to Her Majesty; To be considered in a Committee of the whole, (95) 460. Considered, (109) 526. Report a Resolution, That a Supply be granted, &c.; Agreed to; House resolves to go into Committee to consider of the said Supply; Message with Estimates referred, (119) 583. Considered, (164-165) 857-866, (189) 981-987, (210) 1115-1116. 187 Resolutions reported, (218-224) 1156-1169. Resolutions 1 to 6 agreed to, amendments being proposed (and negatived on divisions) to the 1st and 2nd (Adjutant Generals of Militia, and their Clerks), and 6th (Speaker of Legislative Council); 7th (Clerk of do.) amended by adding certain words, and agreed to; Resolutions 8 to 38 agreed to, amendments being proposed (and negatived on divisions) to the 16th (Contingencies, Legislative Council), 17th (Speaker of Assembly), and 18th (Contingencies of Assembly), (224-225) 1169-1173. Two motions to postpone consideration of remaining Resolutions, negatived on divisions; Postponement again moved, and carried, (225) 1173-1174. Resolutions 39 to 100 agreed to, amendments being proposed (and negatived on divisions) to the 73rd (Administration of Justice), and 75th (Judges, Lower Canada), also, an amendment to the 82nd Resolution (Government Printing) to add "provided the office of Queen's Printer shall be abolished, and the public printing be given out by contract," negatived on division; Motion, to postpone consideration of remaining Resolutions, negatived on division; Again moved, and carried, (236-237) 1221-1226. Resolutions 101 to 166 agreed to, amendments being proposed (and negatived on divisions) to 101st (Claim of John A. Roe-

buck), and 102nd (Claim of William Lyon Mackenzie), and a motion to postpone consideration of the 112th (Erection of Government House at Toronto, &c.), until a central place shall have been selected as the permanent Seat of Government, negatived on division; Remaining Resolutions postponed, (241-244) 1243-1253. Remaining Resolutions (167 to 187) agreed to, an amendment being proposed to the 187th (Arbitrations on Public Works), by adding "provided that the office of Assistant Commissioner of Public Works be abolished," --and negatived on division, (251) 1286-1287.--Message with Supplementary Estimate, referred, (240) 1237, 1238. Considered, (244) 1253, (251) 1287-1288. Thirteen additional Resolutions reported and agreed to; Order, That every item included in the Supply Resolutions be set forth in a Schedule to the Bill, (253) 1295-1298.

-----House goes into Committee to consider of Ways and Means for raising the said Supply, (250) 1285, (316-317) 1539. Four Resolutions, providing for raising the Supply required for the Civil Service, &c., and authorizing a Loan of £4,000,000 to be raised, towards the expense of constructing a main trunk line of Railway through the Province,--reported and agreed to, (321) 1556. Vide below. Vide also Railroads.

-----Bill to provide for certain expenses of the Civil Government for 1851; Presented and read; Printing of Schedule dispensed with, (253) 1298. Read second time; To be engrossed, (266) 1345. Motion, for third reading; Amendment, to recommit Bill, to add a clause requiring all public revenues to be paid in by Collectors without any deductions for salaries, &c., negatived on division; Bill passed, (280) 1392-1393. By the Council, (316) 1538. Royal Assent, (361) 1675. [14 & 15 Vic., c. 46.]

-----Bill for raising, on the credit of the Consolidated Fund, a certain sum required for the Public Service; Presented and read, (321) 1556. Read second time; To be engrossed, (332-333) 1597. Passed, (338) 1616. By the Council, (345) 1633. Royal Assent, (359) 1669. [14 & 15 Vic., c. 72.]

SURVEYORS:--Bill to amend the Land Surveyors Act; Presented and read, (81) 393. Read second time; Committed, (109) 526-527. Considered, (120) 583-584, (138) 695. Reported; To be engrossed, (141) 713. Passed, (145) 732. By the Council, (159) 810. Royal Assent, (229) 1188. [14 & 15 Vic., c. 4.]

SUSPENSION BRIDGES:--Vide Fort Erie and Buffalo Suspension Bridge Company; St. Lawrence Suspension Bridge.

SYDENHAM MOUNTAIN ROAD COMPANY:--Petition of George Rolph, praying that the privileges mentioned in the Act incorporating the said Company may be confirmed to him, (32) 123, (37) 152. Referred to Committee on Standing Orders, (46) 198. Report thereon, (50) 219. Bill presented and read, (56) 244. Order for second reading, (100) 475, (127) 624. Read second time; Referred to Committee on Private Bills, (150) 752. Reported; Committed, (177) 930. Considered; Reported; To be engrossed, (268) 1355. Passed, (281) 1394. By the Council, (300) 1488. Royal Assent, (361) 1674. [14 & 15 Vic., c. 150.]

-----Petition of Municipality, Township of Flamborough West, praying that no alteration be made in the original charter further than to transfer the rights of the Company to Mr. Rolph; Referred to Committee on Private Bills, (160) 827, (165) 878.

-----Petition of James D. Hare, praying that so much of the Bill as provides for the closing up the "Kill Horse Road" between Lots 17 & 18, 1st Concession West Flamborough, may not pass; Referred to Committee on Private Bills, (160) 827, (165) 878.

T.

TAVERNS:--Bill for the regulation of Taverns, and the more effectual suppression of intemperance (Mr. Drummond); Presented and read, (103) 484-485. Order for second reading discharged; Bill withdrawn, (236) 1221. Vide Municipalities (Lower Canada).

-----Bill to provide for granting licences to tavern-keepers and dealers in spirits in Lower Canada, and for the suppression of intemperance (Mr. Drummond); Presented and read, (185) 970. Read second time; Committed, (218) 1155-1156. Considered, (288) 1419. Reported; To be engrossed, (300) 1487. Passed, (320-321) 1555-1556. Returned from the Council, with amendments, (342) 1624. Considered, and agreed to, (347) 1637. Royal Assent, (360) 1670. [14 & 15 Vic., c. 100.]

-----Petition of John Dougall and others, for the Montreal Temperance Society, for amendments to the Bill, (292) 1432, (299) 1483.

-----Bill to explain and amend the Act amending the laws relative to tavern licences in Upper Canada (Mr. Solicitor General Macdonald); Presented and read, (259) 1312-1313. Read second time; Committed, (288) 1419. Considered; Reported; To be engrossed, (317) 1540. Passed, (324) 1563. By the Council, (342) 1624. Royal Assent, (360) 1670. [14 & 15 Vic., c. 120.]

-----Petitions praying that the funds arising from tavern licences, and the management of taverns, may be placed under the control of the Municipal Councils:--Of Municipality, Township of Guelph, (19) 78, (32) 124. Of Municipal Council, United Counties of Lincoln and Welland, (91) 436, (102) 482. Of Municipal Council, County of York, (134) 668, (139) 704.

-----Vide Intemperance; Kamouraska; Municipalities (Upper Canada).

TEMPERANCE, SONS OF:--Petition of W.S. Burnham and others, for an Act to incorporate the Sons of Temperance in Canada West, (45) 195, (51) 224. Referred to Committee on Standing Orders, (66) 302. Report thereon, (72) 338-339. Bill to incorporate said body; Notice of Motion, 821. Presented and read, (160) 827. Read second time; Referred to Committee on Private Bills, (234) 1214. Reported; Committed, (245) 1259. Considered; Reported; To be engrossed, (270-271) 1363. Passed, (282) 1398. By the Council, (294) 1438. Royal Assent, (361) 1674. [14 & 15 Vic., c. 159.]

-----Petitions in favor:--Of Thomas L. Russell and others, of Merrickville, (107) 518, (115) 556. Of W.S. Burnham and others, (170) 898, (176) 929. Of John Eastwood and others, (239) 1237, (248) 1272.

TERREBONNE:--Petition of J.O.A. Turgeon and A. Gorrie, for the holding of the meetings of the Municipal Council thereof at the village of Terrebonne, (17) 62, (20) 80.

-----Petition of A. Gorrie, on behalf of the Municipal Council, praying that its meetings may continue to be held at St. Thérèse, and that the Registry Office be removed there; also, for re-establishment of Parish Councils, and abolition of the Sleigh laws, (239) 1237, (248) 1272.

TERRITORIAL DIVISIONS (UPPER CANADA):--Bill to make certain alterations therein; Notice of Motion, 94. Presented and read, (23) 102. Order for second reading, (60) 277. Read second time; Committed, (70) 321-324. All Petitions relative to Territorial divisions referred to the Committee, (75) 357-358, (93) 441. Motion, for an Instruction to the Committee to report that no County be set apart under the Bill until the inhabitants have voted in favor thereof, negatived on division, (93) 445. Bill considered, (93) 441-449, (109) 527-529, (120) 584-591, (138) 695-698. Petitions on the subject referred to the Committee of the whole, (75) 358, (123) 602, (134) 670, (137) 695. Bill reprinted (as amended), (138) 698. Reported amended, (146) 736.

Motions for recommitting Bill to amend the same, with regard, respectively, to the County of Middlesex, and the townships of Georgina, West Gwillimbury, Beverly, East and West Flamborough, Erin, and Pickering,--and to various matters relative to the separation of Unions of Counties, and the selection of the County towns, negatived on divisions, (146-148) 736-743. Recommitted, to be amended as regards County Registrars, (148-149) 743-744. Reported further amended; One of the amendments negatived, the others agreed to; Bill to be engrossed, (149) 744. Passed, (156) 783. Returned from the Council, with amendments, (212) 1130. Considered, and agreed to, (215-216) 1144-1146. Royal Assent, (230) 1191. [14 & 15 Vic., c. 5.]

-----Petition of Elias Snider and others, Members of Municipal Council of Waterloo, Wentworth, Halton, and Oxford, in favor of the Bill, (51) 224, (61) 285.

-----Petitions for amendments to the Bill:--Of Thomas Hornor and others (Brant and Oxford), (78) 381, (82) 406. Of Municipal Council, United Counties of Lanark and Renfrew, (107) 518, (115) 556.

-----Petition of Mayor and Corporation, Town of Dundas, in favor of that clause of the Bill which confers upon the Reeves the right of selecting the County town of their respective Counties, (137) 694, (139) 704.

-----Petition of Municipality, Township of Pelham, in favor of the provision therein erecting Welland into a separate County, (139) 703, (150) 751.

-----Vide Accounts and Papers, 105; Addresses, To His Excellency, 22; Amherst Island; Dawn and Sombra; Dumfries; Emily; Glanford; Halton; Lambton; Middlesex; Simcoe; Tilbury, West; West Gwillimbury; York (County).

THAMES, RIVER:--Petition of A. Currie and others, of Chatham, for aid to improve the navigation of that river, (78) 381, (82) 406.

THOMPSON, ANDREW:--Petition of, for the grant of a certain allowance for road in Woodhouse, to enable him to use a stream of water for milling purposes in Port Dover, (36) 149, (40) 171. Referred to Committee on Standing Orders, (76) 358. Report thereon, (79) 382. Bill presented and read, (92) 438. Read second time; Referred to Committee on Private Bills, (133) 663. Reported; To be engrossed, (170) 898. Passed, (178) 932-933. Message from Council, desiring the proofs and documents on which the Bill is founded, (195) 1021. Passed by the Council, (200) 1054. Royal Assent, (229) 1190. [14 & 15 Vic., c. 38.]

-----Petition of the Municipality of Woodhouse, in favor, (36) 149, (40) 171.

THORAH:--Petition of Donald Cameron, for the issuing of deeds to him and his followers, for the lands in Thorah for which they have received location tickets, (36) 150, (40) 171.--Another Petition, (172) 915, (176) 929. Motion to refer second Petition, negatived, (280) 1391.

THORNTON, DAVID:--Petition of, for relief in consideration of injuries received during the Rebellion in Upper Canada, (39) 169, (49) 215.

THREE RIVERS (TOWN):--Petition of James Fearnese and others, for the construction of piles to prevent the inundation of the said town by the breaking up of the ice in the Spring, (68) 315, (75) 357.

THREE RIVERS ACADEMY:--Petition of Rev. S.S. Wood and others, for an annual grant thereto, (68) 315, (75) 357.

TILBURY, WEST:--Petition of P. Desjardins and others, praying that that township may be attached to the County of Essex, (17) 62, (20) 80. Referred to Committee of the whole on Territorial Divisions Bill, (123) 602.

TIMBER:--Bill to amend the Act regulating the inspection and measurement of lumber; Presented and read, (22) 92. Order for second reading, (44) 185. Motion, for second reading in six months, negatived on division, (74) 350-351. Order for second reading discharged; Bill withdrawn, (88) 421.

-----Petitions of Quebec Board of Trade, and of Allan Gilmour & Company, and others, against the Bill, (57) 256, (61) 286.

-----Bill to explain a certain provision of the said Act; Presented and read, (92) 438. Question for second reading postponed six months, (197) 1039.

-----Petitions of Quebec Board of Trade, and of Allan Gilmour & Company, and others, against the Bill, (137) 694, (139) 704.

-----Petitions for imposition of an export duty on unmanufactured pine logs, or timber destined for foreign markets:--Of N. McKinnon and others, of Bayham, &c.; Of Municipality of Bayham, (4) 7, (6) 19. Of Municipal Council of Middlesex, (5) 15, (17) 63.

-----Petition of Michel Hamel and others, Cullers of Quebec, for an Act to define the meaning of the 22nd clause of the Act regulating the inspection of lumber, (57) 256, (62) 287.

-----Question, relative to duty on timber exported to the United States of America; Answer, 188-189.

-----Question, relative to licences to cut timber on Crown Lands adjacent to the River Moira; Answer, 352.

-----Vide Accounts and Papers, 72, 106-109; Addresses, To Her Majesty, 2; Addresses, To His Excellency, 6; Governor General, Messages from His Excellency, 14; Raftsmen; Rivers and Rivulets; Trade.

TOLL-GATES:--Bill to prohibit erection of toll-gates which may intercept the free passage from one part to another, of any city, town or village; Notice of Motion, 627. Presented and read, (135) 672. Read second time; Referred, (254) 1300. Reported; To be engrossed, (267) 1352. Question for third reading postponed three months, (285) 1412-1413.

TONNAGE DUTIES:--Vide Light Houses; Shipping.

TOOTH, GEORGE:--Petition of, for indemnity for the loss of his property destroyed at the burning of the Montreal Court House, (279) 1390, (288) 1424.

TORONTO AND GODERICH RAILROAD COMPANY:--Petitions for amendments to the Act of Incorporation:--Of J.G. Bowes and others, of Toronto; Of William P. Howland and others, of York and Etobicoke (and against revival of the Toronto and Lake Huron Railroad Act), (81) 404, (93) 456. Both referred to Committee on Standing Orders, (105) 491. Report thereon, (110) 534. Bill to amend the Act incorporating the said Company, and to continue the same as the Toronto and Guelph Western Extension Railway Company; Presented and read, (116) 561-562. Read second time; Referred to Committee on Railroads, (133) 666. (Petitions also referred, (134) 670). 74th Rule (Notice of sitting of Committee) suspended, (135) 671. Reported amended by substituting an Act of Incorporation for a Railway from Toronto to Guelph; Committed, (210-211) 1126. Considered; Reported; To be engrossed, (270) 1362. Read third time; Motion, to add Ryder authorizing the Company to raise a further capital to extend the railroad to Goderich, negatived on division; Bill passed, (281-282) 1397-1398. By the Council, (294) 1438. Royal Assent, (361) 1673. [14 & 15 Vic., c. 148.]

-----Petition of Municipal Council, Town of Guelph, in favor, (172) 915, (176) 929.

-----Petition of Mayor and Corporation of Toronto, for a provision in the Bill to authorize them to subscribe for stock in the Railroad, (109) 534, (118) 580.

Referred to Committee on Railroads, (131) 658.

-----Bill to incorporate a Company to construct a Railway from Goderich to Guelph (in continuation of the above); Presented and read, (299) 1483.

TORONTO AND GUELPH RAILWAY:--Vide Toronto and Goderich Railway.

TORONTO AND LAKE HURON RAILROAD COMPANY:--Petition of D. Paterson and others, for authority to the Company to resume its operations, (45) 196, (52) 226. Referred to Committee on Standing Orders, (52) 227. Report thereon, (62) 287. Bill to revive and continue the Act of Incorporation; Notice of Motion, 308. Presented and read, (69) 318. Read second time; Referred to Committee on Railroads, (114) 547. 74th Rule (Notice of sitting of Committee) suspended, (135) 671.

-----Petitions against:--Of Ontario, Simcoe, and Huron Railroad Union Company, (78) 381, (82) 406. Referred to Committee on Railroads, (119) 583. Of William P. Howland and others, of York and Etobicoke, (81) 404, (93) 456.

TORONTO AND LAKE SIMCOE HYDRAULIC COMPANY:--Petition of Joseph D. Ridout and others, for an Act of Incorporation, (91) 436, (102) 481. Referred to Committee on Standing Orders, (102) 483. Report thereon, (110) 534.

TORONTO GENERAL BURYING GROUND:--Petition of Thomas Helliwell and others, for authority to the Trustees to lease a part of their land, and to purchase an additional lot, (39) 169, (48) 214. Referred to Committee on Standing Orders, (52) 227. Report thereon, (62) 287. Bill presented and read, (116) 562. Read second time; Referred to Committee on Private Bills, (151) 755-756. Reported; Committed, (170) 898. Considered; Reported; To be engrossed, (262) 1320-1321. Passed, (265) 1333-1334. Returned from the Council, with amendments, (285) 1414. Considered, and agreed to, (287) 1417-1418. Royal Assent, (361) 1674. [14 & 15 Vic., c. 167.]

TORONTO HOSPITAL:--Bill to amend the Act incorporating the Trustees thereof; From the Council; Read first time, (121) 598. Read second time; Committed; Considered; Reported amended; To be read a third time, (286) 1416-1417. Passed, as amended, (289) 1424. Amendment agreed to by the Council, (291) 1429. Royal Assent, (361) 1673. [14 & 15 Vic., c. 141.]

-----Vide Accounts and Papers, 110.

TORONTO HOUSE OF INDUSTRY:--Petition of Rev. H.J. Grasett and others, for an Act of Incorporation therefor, (81) 404, (94) 457. Referred to Committee on Standing Orders, (94) 458. Report thereon, (103) 483-484. Bill presented and read, (106) 511. Read second time; Referred to Committee on Private Bills, (133) 665. Reported; Committed, (135) 671. Considered; Reported; To be engrossed, (152) 760. Passed, (156) 783. Returned from the Council, with amendments, (186) 974. Considered, and agreed to, (191) 997. Royal Assent, (229) 1189. [14 & 15 Vic., c. 35.]

TORONTO LYING-IN HOSPITAL:--Petition of Rev. H.J. Grasett and Mrs. Augusta Draper, for aid, (91) 436, (101-102) 481.

TORONTO MECHANICS' INSTITUTE:--Vide Accounts and Papers, 111.

TORONTO ORPHANS' HOME AND FEMALE AID SOCIETY:--Petition of Mrs. Charlotte Elmsley and others, for aid thereto, (81) 404, (94) 457. Motion, that the Petition be referred to Committee of the whole on Supply; Withdrawn Motion, 685-687.

-----Petition of Mrs. Mary G. Sherwood and others, for an Act of Incorporation for

that Institution, (91) 436, (102) 481. Referred to Committee on Standing Orders, (102) 483. Report thereon, (105) 492. Bill for Act of Incorporation thereof; Notice of Motion, 486. Presented and read, (106) 511. Read second time; Referred to Committee on Private Bills, (133) 665. Reported; Committed, (135) 671. Considered; Reported; To be engrossed, (152) 760. Passed, (156) 783. By the Council, (177) 932. Royal Assent, (229) 1189. [14 & 15 Vic., c. 34.]

TORONTO SCHOOL OF MEDICINE:--Petition of John Rolph and others, for an Act of Incorporation, (19) 78, (33) 125. Referred to Committee on Standing Orders, (41) 172. Report thereon, (62) 287. Bill presented and read, (67) 304. Order for second reading discharged; Bill withdrawn, (173) 916.

-----Bill to incorporate the Toronto School of Medicine; From the Council, (111) 538. Read first time, (112) 538. Order for second reading, (131) 658 (150) 752. Read second time; Referred to Committee on Private Bills, (133) 665. Reported amended; Committed, (170) 898. Considered; Reported amended; Amendments to be engrossed, (271) 1363-1364. Passed, as amended, (282) 1399. Amendments agreed to by the Council, (291) 1429. Royal Assent, (361) 1674. [14 & 15 Vic., c. 155.]

TORONTO TEMPERANCE REFORMATION SOCIETY:--Petition of Rev. J. Roaf and others, for an Act of Incorporation, (45) 195, (51) 224. Bill to incorporate &c.; From the Council; Read first time, (241) 1242. Read second time; Committed; Considered; Reported, (323) 1561. Read third time and passed, (327) 1572. Royal Assent, (361) 1674. [14 & 15 Vic., c. 160.]

TOWNSHIP LINES:--Vide Roads and Bridges.

TRADE:--House resolves to go into Committee to consider of Addressing Her Majesty, praying for the introduction into the Imperial Parliament of a measure to extend the principles recognized in the late Navigation Act to the productions of Canada, and to impose duties on the principle of reciprocity on all foreign productions imported into Great Britain, (33-34) 126-128. Consideration thereof postponed, (57) 247. Considered, (60) 264-277. Order for further consideration, (60) 277.

-----Bill to obtain reciprocity of commerce with the United States and other nations; Notice of Motion, 9. Postponed Motion, 95.

-----Notice of Motion, for a return of correspondence and documents on the subject of a Reciprocal Trade with the United States, 74. Motion; Withdrawn Motion, 137-142.

-----Notice of Question, relative to the protection of Canadian products in the markets of Great Britain, by continuing the duties on foreign timber, &c., 135. Motion, for an Address to Her Majesty, on the foregoing subject; Debate thereon adjourned, (73) 339-344.

-----Petition of the Council of the Toronto Board of Trade, for adoption of measures for protecting the Trade of Canada, (93) 456, (102) 482.

-----Petition of Greene and Sons and others, hatters and furriers of Montreal, for the protection of their trade by a duty on the manufactured articles and the admission of raw materials free, (45) 195, (51) 224.

-----Notice of Question, whether the Government intend to introduce a Bill during the present Session to impose differential duties in favor of articles imported into the Province by sea, 10. Question; Postponed Question, 121.

-----Question, whether it is in the power of the Provincial Government to open the St. Lawrence to foreign vessels, without reference to the Imperial Government; Answer, 331.

TRADE AND NAVIGATION RETURNS:--Vide Accounts and Papers, 112; Printing.

TRINITY COLLEGE:--Petition of Rev. Dr. Stephen Lett and others, of the Diocese of Toronto, for an Act of Incorporation for the said College, (6) 19, (20) 79. Referred to Committee on Standing Orders, (52) 227. Report thereon, (62) 287. Bill for Act of Incorporation thereof; Notice of Motion, 249. Presented and read, (65) 299. Read second time; Referred to Committee on Private Bills, (113-114) 545. Reported; Committed, (119) 582. Considered, (152) 756-760. Reported; Twice recommitted, and further amended; Further motion to recommit Bill, negatived on division; Considered, (152) 756-760. Reported; Twice re-committed, and further amended; Further motion to recommit Bill, negatived on division, (157) 785-792. Notice of Motion for amendment, That inasmuch as the Church of England is arrayed against the people in their efforts for equal rights for the abolition of the Rectories and alienation of the Clergy Reserves, it is inexpedient to grant its request for the incorporation of an exclusive sectarian College, 684. Motion, for second reading thereof, negatived on division; Amendments agreed to; Bill to be engrossed, (157-158) 791-794. Passed, (161) 832. By the Council, (171) 903. Royal Assent, (229) 1189. [14 & 15 Vic., c. 32.]

TRUST AND LOAN COMPANY OF UPPER CANADA:--Notice of Motion, for leave to bring in a Bill to repeal certain parts of the Act relating to the said Company, 9. Motion, negatived on division, (21) 90.

TWYNAM, WILLIAM E.:--Petition of, for admission to practise as an Attorney, (137) 694, (139) 704. Referred to Committee on Standing Orders, (139) 704. Report thereon, (150) 751-752. Bill presented and read, (153) 764. Read second time; Referred to Committee on Private Bills, (174) 920. Reported; To be engrossed, (177) 930. Passed, (183) 956-957. By the Council, (200) 1053. Royal Assent, (230) 1190. [14 & 15 Vic., c. 44.]

U.

UNION ACT:--Vide Bills.

UNION OF BRITISH NORTH AMERICAN COLONIES:--Vide Convention of British North American Provinces.

UNION OF THE CANADAS:--Notice of Motion, for the House to consider a series of Resolutions relative to the Union of Upper and Lower Canada, 9. Notice of amendment to proposed Resolutions, 684. Motion, for a Committee of the whole to consider certain Resolutions setting forth that the impracticability of carrying out the scheme of the Union under its original conditions,--and of legislating for the whole Province as one, having been proved by experience, it is expedient to Address Her Majesty, praying her to take into consideration the state of the Province, with the view of securing to the British and French population, respectively, the enjoyment of such laws and institutions as are most conformable to the customs and habits of each; Superseded by Previous Question, on the casting vote of the Speaker, (140-141) 707-712. Withdrawn Resolutions, 821.

UNIVERSITY OF TORONTO:--Notice of Question, relative to the Report of the Commissioners appointed to enquire into the affairs of King's College, 74. Question; Answer, 95. Notice of Question on same subject, 135. Question; Answer, 189-190.

-----Bill to amend the Charter of the University of Toronto (Hon. Mr. Sherwood);

Notice of Motion, 9. Presented and read, (53) 228. Order for second reading, (127) 624, (174) 922. Order for second reading discharged; Bill withdrawn, (214) 1135.

-----Bill to amend the Charter thereof, and to constitute an University of Upper Canada in lieu thereof (Mr. W. Boulton); Presented and read, (185) 970.

-----Vide Accounts and Papers, 113, 114; Addresses, To His Excellency, 29, 38, 59.

UPPER CANADA BANK:--Vide Accounts and Papers, 15.

UPPER CANADA COLLEGE:--Vide Accounts and Papers, 113, 114; Addresses, To His Excellency, 29; 38; 59.

USURY LAWS:--Bill to amend the laws concerning the interest of money; Notices of Motion, 9, 135. Presented and read, (39) 161. Order for second reading, (88) 422, (113) 544, (118) 572. Question for second reading postponed six months, (137) 676-683.

-----Petition of Council of Toronto Board of Trade, in favor of the Bill with a certain amendment, (101) 480, (104) 490.

-----Petition of the Montreal Board of Trade, in favor of the Bill, (134) 668, (139) 703.

-----Bill to amend and simplify the laws relating to the interest of money; From the Council; Read first time; Order for second reading, (69) 318. Printed, (177-178) 932. Question for second reading postponed six months, (180) 939-940.

-----Bill to establish the legal rate of interest at 7 per cent., in Upper Canada; Leave granted to present Bill; Read first time, (195) 1035. Question for second reading postponed six months, (226) 1180-1181.

V.

VESSELS:--Vide Shipping; Trade.

VICTORIA COLLEGE:--Question, relative to negotiations for sale thereof; Answer, 870.

-----Vide Addresses, To His Excellency, 43.

W.

WARD, THOMAS:--Petition of, for compensation for the reduction of his fees as Clerk of the Peace for Durham, (195) 1035, (198) 1046.

WATER POWER:--Bill to encourage the creation thereof for manufacturing purposes in Upper Canada; Presented and read, (54) 232. Order for second reading, (96-97) 466, (127) 624, (179) 936.

WATERLOO (COUNTY):--Petition of the Municipal Council, County of Waterloo, for authority to collect certain arrears of taxes imposed by a By-law of the late Wellington District Council, (19) 78, (32) 124. Referred to Committee on Standing Orders, (46) 198. Report thereon, (62) 287. Bill presented and read, (87) 419-420. Question for second reading; Amendment, to add "in six months," negatived by Speaker's casting vote; Bill read, and referred, (151) 753-755. Reported; Committed, (181) 947. Considered, and no report made, (339) 1617.

WATEROUS, CHARLES HORATIO:--Petition of, for an Act of Naturalization, (81) 404,

(94) 457. Referred to Committee on Standing Orders, (123) 603. Report thereon, (135) 670. Bill presented and read, (150) 752. Read second time; Referred to Committee on Private Bills, (174) 920. Reported; To be engrossed, (177) 930. Passed, (183) 956. Message from the Council, desiring the proofs and documents on which the Bill is founded, (195) 1022. Returned from the Council, with amendments, (204) 1081. Considered, and agreed to, (210) 1125-1126. Royal Assent, (229) 1189. [14 & 15 Vic., c. 42.]

WATTS, MR.:--Vide Privileges.

WAYS AND MEANS:--Vide Supply.

WEIGHTS AND MEASURES:--Bill to amend the Act of 12 Vic., amending the law relative to the inspection of weights and measures in Lower Canada; Presented and read, (140) 706. Question for second reading postponed three months, (255) 1302-1303.

WELLAND (COUNTY):--Vide Lincoln and Welland; Territorial Divisions (Upper Canada).

WELLAND CANAL:--Vide Niagara River.

WELLAND CANAL MANUFACTURING COMPANY:--Petition of M.L. Helliwell and others, for an Act of Incorporation to enable them to purchase lands on the Canal, between St. Catharines and Thorold, and to encourage the erection of manufactories thereon, (6) 19, (20) 79. Referred to Committee on Standing Orders, (50) 219.

-----Petition of James Benson and others, for an Act of Incorporation for the same, (81) 404, (94) 457. Referred to Committee on Standing Orders, (94) 458. Report thereon, (110) 534-535. Bill to incorporate a Company for the encouragement of manufactures on the Welland Canal; Presented and read, (116) 561. Read second time; Referred to Committee on Private Bills, (133) 666. Reported, (155) 781. Committed, (155) 782. Considered; Reported; To be engrossed, (263) 1325. Passed, (271) 1364. By the Council, (285) 1414. Royal Assent, (361) 1674. [14 & 15 Vic., c. 152.]

WELLINGTON DISTRICT:--Vide Waterloo (County).

WESLEYAN METHODISTS:--Petition of Rev. Enoch Wood and others, for an Act to incorporate the Connexional Society of the Wesleyan Methodist Church in Canada, (45) 196, (52) 226. Referred to Committee on Standing Orders, (135) 670. Report thereon, (139-140) 705. Bill to incorporate the Benevolent Societies of the said Church; Presented and read, (153) 764. Referred to Committee on Private Bills, (174) 920. Reported; Committed, (181) 947, 948. Considered; Reported; Motions, for recommitting Bill, and for postponing third reading three months, severally negatived on divisions, (268-270) 1355-1361, (281) 1394-1397. To be engrossed, (270) 1361. Passed, (281) 1397. By the Council, (301) 1488. Royal Assent, (361) 1673. [14 & 15 Vic., c. 142.]

-----Petition of J.G. Bowes and others, of Toronto, in favor, (198) 1046, (206) 1096.

-----Petitions from Wesleyan Methodists against the Bill:--Of Alexander McRae and others, of Hamilton, (189) 993, (195) 1035. Of John Milburn and others, of Peterborough, (210) 1125, (225) 1180. Of William Crowe and William Stevenson, on behalf of Wesleyan Methodist Society of Guelph, (244) 1257, (256) 1307. Of Jonas Canniff and others, of Belleville; Of William Crowe and William Stevenson, on behalf of Members and Friends of Wesleyan Methodist Church, Guelph, (256) 1307, (266) 1352.

WEST GWILLIMBURY:--Petitions praying that the "Old Survey" of that township may be detached from Simcoe, and annexed to the County of York:--Of William Roe and others; Of Septimus Tyrwhitt and others (and part of new survey); Of John Black and others, of Lots Nos. 7 to 14 inclusive, 1st concession of the new Survey, (5) 15, (17) 63.--Bill to attach the "Old Survey" to East Gwillimbury; From the Council; Read first time, (42) 174. Petitions for and against the Bill read; Motion, that the Bill be read a second time; Amendment, to add "in six months," negatived on division, and Bill read; Motion, for third reading to-morrow; Amendment, that it be committed, carried, (48) 206-208. Considered; Order for further consideration, (90) 427-428. Further consideration postponed, (125) 620, (151) 756, (192) 1005. Order for further consideration discharged, (228) 1185.

-----Petition of Municipal Council, County of Simcoe, against, (5) 15, (18) 63.--Another Petition, of the same, (103) 488, (110) 535.

-----Vide Territorial Divisions (Upper Canada).

WESTERN ASSURANCE COMPANY:--Petition of Thomas Haworth and others, for an Act of Incorporation, (36) 149, (40) 171. Referred to Committee on Standing Orders, (41) 172. Report thereon, (50) 219. Bill presented and read, (86-87) 419. Read second time; Referred to Committee on Private Bills, (131) 658. Reported; Committed, (210) 1125. Considered; Reported; To be engrossed, (270) 1362-1363. Passed, (285) 1414. By the Council, (301) 1488. Royal Assent, (361) 1674. [14 & 15 Vic., c. 162.]

WHISKEY:--Question, relative to excise duty on whiskey produced in Canada; Answer, 450.

WHITBY AND NARROWS ROAD:--Petition of D. Cameron and others, praying that the removal of the Seat of Government may be dispensed with, or delayed, and the money thereby saved be expended in turnpiking the said road, (110) 534, (118) 581.

WILCOX, LEONARD:--Petition of, for indemnity for the seizure of a sailing vessel and cargo by the Collector of Customs at York in 1815, (81) 404, (93) 456. Motion to refer Petition to the Committee of Supply, negatived, (134) 669-670.

WILD FOWL:--Vide Game.

WILKES, MRS.:--Petition of George Samuel Wilkes of Brantford, and Cairra Robbins Wilkes, his wife, praying for power to dispose of certain property, (36) 149, (40) 170. Referred to Committee on Standing Orders, (50) 219. Report thereon, (62) 287. Bill presented and read, (65) 299. Order for second reading, (127) 625, (150-151) 752-753, (173) 916. Read second time; Referred, (179) 936. Reported; Committed, (194) 1018. Considered; Reported; To be engrossed, (270) 1361. Passed, (281) 1397. By the Council, (300) 1488. Royal Assent, (361) 1675. [14 & 15 Vic., c. 169.]

-----Petition of Mrs. Maria Wilkins, against, (51) 224, (60) 285.

WILSON, WILLIAM:--Petition of, for the restoration of certain property in Quebec of which he claims to be proprietor, (172) 915, (176) 929.

WINDHAM:--Vide Oxford, Burford, and Windham.

WITNESSES:--Bill to enforce the attendance of witnesses in civil cases from any part of the Province before the Superior Courts; Presented and read, (39) 161. Order for second reading, (56) 246, (88) 423. Motion, to postpone second

reading six months, negatived on division; Read second time; Committed, (124) 617-618. Considered, (248) 1268. Reported; Two motions to recommit Bill, negatived on divisions; To be engrossed, (252-253) 1293-1295. Question for third reading, postponed three months, (259-260) 1313-1314.

-----Bill to facilitate the issue of Commissions for the examination of witnesses in suits at law in Upper Canada; Presented and read, (47) 200. Order for second reading, (89) 427, (125) 619, (174) 922. Motion, to postpone second reading six months, negatived on division; Read second time; Committed, (179) 935. Considered, (291) 1430. Reported; To be engrossed, (339) 1617. Motion, to recommit Bill, negatived on division; Read third time; Ryder moved and negatived on division; Bill passed, (347) 1637-1638.

-----Resolution, That for the remainder of the Session no witness be paid for his attendance without the authority of the Contingent Committee (to be renewed after four days attendance); and that no witness residing in Toronto be paid, (34) 128.

-----Vide Evidence.

WOLFE ISLAND RAILWAY AND CANAL COMPANY:--Petition of Francis M. Hill and others for an Act of Incorporation, (107) 518, (115) 557. Bill to revive and amend the Act incorporating the Wolfe Island, Kingston and Toronto Railroad Company; Presented and read, (267) 1353. Read second time; Referred to Committee on Railroads, (323) 1561. Reported; Committed, (328) 1588. Considered; Reported; To be engrossed, (343) 1628. Passed (as a Bill to incorporate the Wolfe Island Railway and Canal Company), (350) 1643. By the Council, (358) 1666. Royal Assent, (361) 1673. [14 & 15 Vic., c. 149.]

WOOD, ALEXANDER:--Petition of Hon. George Crookshank, for an Act to provide that in any action brought by Isabella Farrell, the evidence taken under any one Commission to prove her heirship to the late Alexander Wood may be received without a new Commission in each case, (78) 381, (82) 405. Referred to Committee on Standing Orders, (189) 993. Report thereon, (198) 1046.--Bill to afford relief to the estate of the late Alexander Wood; From the Council; Read first time, (159) 810. Order for second reading, (191) 996-997. Read second time; Referred to Committee on Private Bills, (238) 1231. Reported, (249) 1276. Read third time, and passed, (252) 1293. Royal Assent, (361) 1675. [14 & 15 Vic., c. 168.]

WOODSTOCK AND LAKE ERIE RAILWAY AND HARBOUR COMPANY:--Petition of, for an extension and amendment of their Charter, (19) 78, (33) 125. Referred to Committee on Standing Orders, (41) 172. Report thereon, (79) 383. Bill presented and read, (92) 438. Read second time; Referred to Committee on Railroads, (133) 663. Report, that it is inexpedient to pass the same, (279) 1390. Motion, to commit Bill, negatived on division, (288-289) 1424. Fee refunded, (299) 1483.

Y.

YAMASKA (COUNTY):--Bill to establish a Circuit Court for the said County, and for a certain part of Drummond; Presented and read, (246) 1260.

-----Petition of J. Dugay and others, for amendment of the Act establishing a Circuit Court in Yamaska, (60) 284, (71) 336-337.

YAMASKA (SEIGNIORY):--Petition of Pierre Hébert and others, for revival and amendment of the Acts regulating the Common thereof, (78) 381, (82) 406. Referred to Committee on Standing Orders, (85) 415. Report thereon, (94) 458. Bill presented and read, (95) 460. Read second time; Referred to Committee

on Private Bills, (133) 664-665. Reported, (152) 763. Committed, (153) 764. Considered; Reported; To be engrossed, (262) 1321. Passed, (265) 1334. By the Council, (283) 1402. Royal Assent, (360) 1673. [14 & 15 Vic., c. 135.]

YORK (COUNTY):--Petition of Municipality, Township of Brock, for a division of the County, (4) 7, (6) 19.

-----Petitions for erection of the Eastern townships thereof into a new County:--Of Alexander McPherson and others; Of Municipality of Mara and Rama; Of Municipality of Uxbridge; Of Municipality of Whitby; Of Kenneth Cameron and others, (45) 195, (51) 225. Of Thomas Graham and others, (91) 436, (102) 482.

-----Petitions praying that such new County may have a frontage on Lake Ontario:--Of Municipality of Scott; Of George Thompson and others, (45) 195, (51) 225.

-----Petition of Jonathan Bartlett and others, against any alteration of the Territorial Divisions Bill (erecting the said new County) as regards the County town of the new County, (120) 597, (130-131) 657.

-----Petitions against a division of the County:--Of Municipality, Township of Pickering, (60) 284, (71) 336. Of Municipal Council, County of York, (103) 488, (110) 535-536. Of W. Thompson and C.E. Romain for Municipality of Toronto (township), (104) 488, (111) 536.

-----Petitions in favor of the provision in the Territorial Divisions Bill setting apart the West Riding into a County,--with a certain amendment:--Of Thomas McMicking and others; Of A. McAlpine and others; Of John Ballantyne and others; Of James Hetherington and others; Of James Foard and others, (78) 381, (82) 406. Of John Watson and others; Of Municipality, Township of Chinguacousey, (81) 404, (94) 457.

-----Petition of Robert Dwyer and others, against separation of the West Riding, (81) 404, (94) 457.

-----Petition of Eli Gorham and others, of King and Whitchurch, for certain alterations in the division of the County as provided for in the Territorial Divisions Bill, (103) 488, (110) 535. Referred to Committee of the whole on the Bill, (134) 670.

-----Petition of Thomas Mossington and others, praying that if the County be divided, Georgina may be included in the West half thereof, (128) 636, (134) 669. Referred to Committee of whole on Territorial Divisions Bill, (137) 695.

-----Vide Courts; Territorial Divisions (Upper Canada).

YORK ROAD ALLOWANCE:--Petition of Hon. Christopher Widmer and others, for an Act to grant to proprietors of lots adjoining a certain portion of the road allowance, between 1st and 2nd Concessions of York, such a right over the same as to enable them to restrain abuses thereon, (40) 170, (49) 214. Referred to Committee on Standing Orders, (59) 260. Report thereon, (62) 287.--Bill to vest the said road allowance, &c.; From the Council; Read first time, (54) 230. Order for second reading, (64) 292. Read second time; Referred to Committee on Private Bills, (113) 544-545. Reported, (137) 694. Order for third reading, (137) 695. Passed, (141) 713. Royal Assent, (229) 1189. [14 & 15 Vic., c. 39.]

-----Petition of Municipality, Township of York, against, (48) 214, (57) 257.

YORK ROADS:--Motion, to refer to a Select Committee so much of a certain Return as relates to the sale of the York Roads, negatived on division, (202-203) 1070.

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